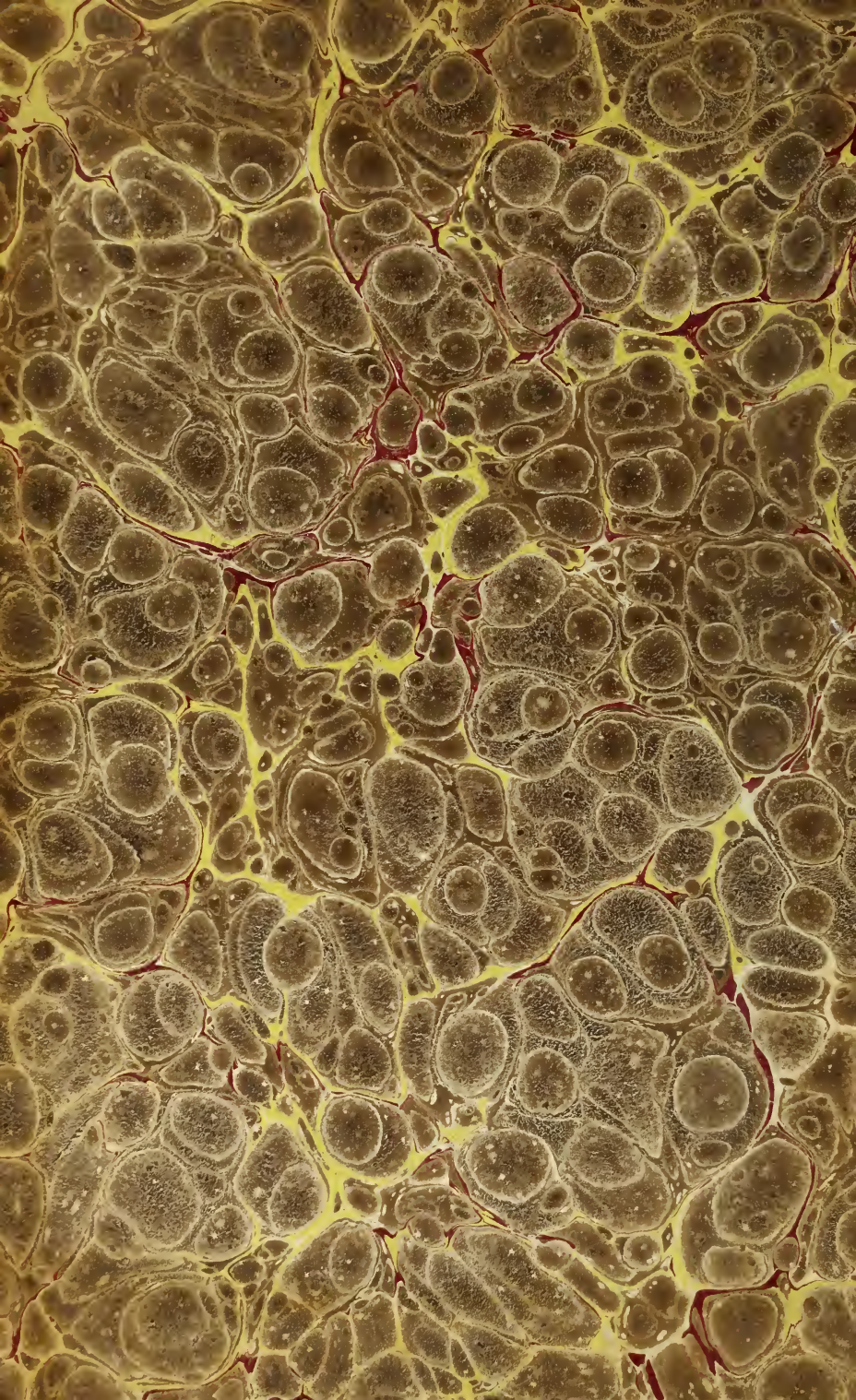

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James McDonnell

The

MEMOIRS

Private and Political

OF

DANIEL O'CONNELL, ESQ: M.P.

HIS TIMES AND CONTEMPORARIES.

BY

Robert Hush, Esq: F.S.A. &c. &c.

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LONDON.

THE

MEMOIRS,

Private and Political,

OF

DANIEL O'CONNELL, Esq.

FROM THE YEAR 1776 TO THE CLOSE OF THE PROCEEDINGS IN PARLIAMENT, FOR THE REPEAL OF THE UNION.

COMPILED FROM OFFICIAL DOCUMENTS.

BY ROBERT HUISH, Esq. F.R.S. F.Z.A.

Author of the "Life of the Princess Charlotte." "Memoirs of George IV." "Domestic Adviser, or Female's Friend." &c. &c.

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INTRODUCTION.

It is universally admitted that there is no department of literature attended with such discouraging circumstances, or which requires a greater exercise of judgement and discrimination, than a detail of the actions of an individual, whilst he is yet living, or before his contemporaries have had the proper and necessary opportunities of appreciating his character, and forming a decision of it upon the irrefutable basis of truth and impartiality. On every side, the biographer sees himself surrounded by those, almost inextricable difficulties, which operate with such a repellent force, as to render the task, if not a hopeless one, at least one of the most ungracious and disagreeable, that can possibly be undertaken. A becoming delicacy, and a justifiable respect for the feelings of the living and their connections, ought always to have a preponderating influence over a liberal mind, in abstaining from a recital of many circumstances, the publicity of which might inflict a pang upon an unoffending individual, and prove of serious injury to the character of some of the acting parties, without any good or beneficial result; at the same time, that food is administered to the degraded appetite, which delights to feed on the offals of calumny and detraction. Some strong predilections and partialities will generally exist in the breast of the biographer for the object of his memoir, and in some cases the contrary will take place; it becomes therefore a difficult task to steer clear between fulsome and servile panegyric, and violent and overstrained abuse; in either case, the beauty of truth is lost, and particular events are glossed over, that they may not throw a darkening shade over the brightness of the picture, which is attempted to be drawn, or on the other hand,

they are so perverted and magnified, that the character of the individual becomes caricatured; a mass of deformity is exhibited, without scarcely a single redeeming virtue, and a picture is transmitted to posterity, in which truth is the principal feature that is wanting.

Seldom indeed, and we may add, never does it happen, that due and proper justice is done to the character of an individual during his life time, and it is only when he is removed from the scenes of this world, that his real dispositions as they displayed themselves, begin to be properly understood and appreciated. Personal and political animosities have then in a great measure subsided, and the individual is seen through the clear and pellucid medium of truth and impartiality. That such, however, is not always the case, is evident from Scott's Life of Napoleon, and Moore's Life of Sheridan, two works, which for the reputation of the respective Authors, it were well, if they had never written them.

When individual character is to be discussed, candour is one of the first requisites, and in the present instance, some apology may be deemed necessary, for having undertaken the onerous task of delineating the character of an individual of whose private life so little is known, and of whose public one, so many and discordant opinions have been held. It has, therefore, been the chief aim of the Author of the following work, to adhere strictly to historical facts, as they have been transmitted by the most authentic authority, but at the same time, as an ardent admirer of universal liberty and freedom of action without reference to sectarian principles, to uphold the subject of his memoir, as the giant who has broken the chains of religious intolerance, who made the bigots of his country feel that political rights are not to be determined by modes of faith, and that an exclusion from them on the score of religion, is incompatible with the spirit and principle of the British Constitution.

MEMOIRS

PRIVATE AND POLITICAL

OF

DANIEL O'CONNELL Esq. M. P.

CHAPTER I.

Rarely and at long intervals in time, men arise from the great mass of human beings, who gifted by nature with a surpassing share of mental and physical power, acquire as a necessary consequence of that power, a gigantic energy of mind, a proneness to action, and a determination of purpose, which bursting through the paralyzing fetters of prejudice and custom, impel them to become the leaders of their fellow-men, in those aspirations towards the Heaven of knowledge and freedom, which periodically stir the human race into action, flashing over the gloom of futurity the collected lightnings of the intellect of ages. Such men are to the moral and political philosopher, what the bold and enterprising speculator is to the scientific discoverer, for not requiring the calmness nor abstraction of the originator of a theory or a principle, they possess those equally essential capabilities of adaption and action, which enable them to convert abstraction into intelligible and popular realities. But, from their being compelled inevitably to make head against the antagonist principles, which the obstinate adherence of ignorance to its undigested acquisitions make so deeply rooted, they of necessity become the objects of the malevolence and bigoted hatred, which are its inseparable companions; and were it not for that iron-

ness of nerve and hardened callousness to external assailants, which their incessant conflict with these discordant elements gives birth to and strengthens, they would become certain martyrs to their restless desire to prove beneficial to their kind. Every invention of slander is put in requisition to effect that destruction by surreptitious means, which in straight forward combat would not be attained, and the unarmed breast of the manly warrior is exposed to all the vile contrivances of savage warfare—the brands and the poisoned arrows. Truth, against such assailants is an aid which will but little avail him, save as an antidote to the virulence of the venom.

Perhaps no one, of the many individuals, who have in every age been the agents of the unseen originators of human improvement, has suffered more from the temporary obloquy of falsehood, than the celebrated man, who forms the subject of this memoir. As wielding the moral, if not the actual force of the mass of the Irish people in their struggle of numbers against armed power and an unholy supremacy, he necessarily became an object of intense hatred to the dominant party, who employed every insinuation against the purity of his motives, which an abused ingenuity could devise, in order to prejudice the reflecting and respectable inhabitants of England against him. This was for a time practised with too much success, aided, as it unfortunately was, by the jealousies of religious dissensions practised by jesuitical journalists to aid the unhallowed object. But although a man in good health may be temporarily blinded by having dust thrown into his eyes, those incorruptible organs, thanks be to nature, have a glorious propensity to work it out at the corners, and accordingly the fabrications with which the enemies of O'Connell contrived for a long time to deceive and mislead the English people, have at last given place to a more clear-sighted view of his situation and objects. The English nation are now so disposed towards him, that the greatest service that a lover of truth, and a friend to rational liberty can do, is to give a fair and candid statement of the real facts of his career, and an outline from his own mouth of his general principles and views.

The career of Mr. O'Connell reads a significant lesson to all who advocate the cause of the people. A short time ago his very name was a bugbear, even to liberal and enlightened English gentlemen. The people be it spoken to their honour never felt that distrust and hatred of the Irish Agitator, which so long and so powerfully influenced the more exalted and instructed of our countrymen. The extent and intensity of this hatred can never be thoroughly estimated by any one, who has not mixed in the society of English politicians.* The obloquy, the odium which at a certain period followed Mr. O'Connell in his patriotic attempts to obtain for his countrymen their emancipation from all national restrictions, and procure for them the enjoyment of those political rights which belong to a British subject, but from which they were debarred by the particular religious creed to which they are attached, would have crushed any man not endowed with the steadfast courage and extraordinary talent which distinguish Mr. O'Connell from all other public men of the present day. He is actually the ruler of Ireland. His sway over six millions of his countrymen is undivided, and almost without limit, and yet so great were the intolerance and bigotry of a particular party, styling themselves, though falsely, the supporters of the church and state, that when he made his appearance amongst the *soidisant* representatives of the people, contempt, scorn, and hatred were in every possible shape and means exhibited towards him. To hear the private conversation and the suppressed exclamations of these persons, one would have been led to believe that a felon, that a man bringing the plague and pestilence with him, had found his way into the house, that some wretched being, tainted with every crime, and disgraced by every evil propensity had crept in amongst them, to contaminate by his presence the purity of their proceedings, and

* An anecdote related to us by a very distinguished soldier, marks very pointedly the feeling not long since prevalent respecting Mr. O'Connell. He told us that on meeting an old acquaintance, whom he had not seen for some time, his friend said, Where do you come from? The answer was, I have just come from Mr. O'Connell. Did you shake hands with him? was the next inquiry. Yes. With which hand? With my right, Then shake my hand with your left.

to wrest from them every claim, which in their infatuation, they supposed they possessed to the regard and confidence of the country. When he rose to speak of the wrongs of his countrymen, shouts of derision, laughs of utter contempt, noisy interruptions, vulgar abuse, and violent threats and denunciations attended all he said. He has lived, and short indeed has been the time, to see himself the first man in that assembly; to see his authority looked up to and respected, and to see the ministry of the day actually depending for their existence upon his countenance and support. The very Whigs, who raved at and insulted him, now court and applaud him; in place of the laugh and the contemptuous shout, respectful attention and enthusiastic plaudits wait upon his words. In Ireland and by the force of Ireland, he has long been, what the French call *une puissance*, a power by himself. To enlarge and strengthen this already formidable influence, the sanction and approbation of the multitudes of England and Scotland are gradually being added to the almost idolatrous worship of the Irish. No man in our days ever wielded such a power, no man, be it in justice said, ever so well deserved to wield it.

What is the secret of this extraordinary success? In what consists the charm by which Mr. O'Connell wins his way into the hearts of men? Others have equalled him in ability, many have surpassed him in acquirements, some few, very few, indeed, have been able to cope with him in debate, how then does it happen, that no one has yet arrived at the same unbounded influence?

The secret, and let it be well remembered is, *that Mr. O'Connell has never deceived his countrymen.* Through times of dismay and discord, in good report and bad report, in the time of trial and the hour of trouble, the people have ever found him their steadfast advocate. He has faults, the faults of his countrymen, the faults of a rhetorician, but the people forget them in the recollection, that amidst all his mistakes, his wild and inconsistent statements, to them he has ever been true. He has kept one end always in view, the redress of his country's wrongs. He has allowed no private feelings, interest, or predilec-

tions to interfere with that end. He has sacrificed every thing to the attainment of that one great object. He has become the friend of those he has denounced; he has united himself with those, who have scorned and bitterly insulted him; he has forgotten his private wrongs, when the public good required it; he has put by old enmity, he has thrown aside strong and long-nurtured prejudices, he has given up long-cherished opinions, and long-favoured projects, every thing, in short, has been made to yield to the one great leading purpose of his life, the redressing of the grievances of Ireland. Well may he exclaim, "I am the advocate of my country." So he is, and being so, he hesitates not in its cause to assume the character of the advocate and forgets all things, but the success of his client. This is the key to all his conduct, it will account for his discrepancies, his exaggerations, his misstatements. He is an advocate, Ireland's advocate, and pleads her cause, as if she were his client.

Such devotion to his country's cause, necessarily won him the hearts of his countrymen. In aid of this devotion, he brought an eloquence unrivalled at the present time and almost, if not quite, equalling that of the great masters of antiquity. Simple, plain, business-like, exquisitely natural, vehement, even as a man is vehement in his own cause, and in private life. Nothing appears studied or premeditated, nothing appears done for oratoric effect, and nothing is sacrificed to display. His knowledge, however, is not equal to his style and manner; in many things he has yet to acquire the very elements of political science; but he always by a sort of happy intuition seizes the real question in debate; with one blow he beats down the opposing fallacy, and with almost preternatural facility builds up his arguments upon its ruins. This wonderful power has conquered the opposition of the House of Commons. His opponents listen, in spite of themselves; in trembling they acknowledge his superiority, and curse their stars for having given them such an enemy.

These qualities have made Mr. O'Connell the idol of his countrymen. Whether the same mode of employing his abilities

will eventually gain for him equal power in Great Britain may be doubted. Ireland, groaning under her oppressive wrongs heaped upon her by England, required an *advocate*, the people of England require not an *advocate*, they want a *representative*. The qualities required for these two characters are distinct and ought not to be confounded. An advocate has a cause, to which he sacrifices every thing; he implores, he deprecates, he threatens, he glosses over opposing circumstances; he artfully colours; he suppreses and disturbs truths that tell against him, he exaggerates every thing in his favour. The representative *deliberates*, his sole end is *truth*. He is a philosopher, brought into action for the benefit of a nation. It behoves Mr. O'Connell, now that he seeks to enlarge the sphere of his utility, to make himself master of this very broad and marked distinction. He has now placed the cause of Ireland in so commanding a position; he has so linked her destinies with those of England, and so impressed the people of England with the belief that justice must be done to Ireland, that he may now forego the character of the advocate, and assume the more elevated office of a representative of the whole empire.

It must not be expected, however, that the influence of any man in England can ever equal that of Mr. O'Connell in Ireland. The different situations of the two countries preclude the possibility of such an event. The comparatively calm, sedate, and inquiring nature of the English people, their love of truth, for truth's sake renders it impossible for them to evince or to feel the same enthusiastic ardour in favour of any one individual, as that now felt towards Mr. O'Connell by the people of Ireland. The English are a great and powerful people; they have no superior, and dread no oppressor. The difficulties which in their government they have to conquer, are difficulties springing from the very nature of man, and must attend on every society, at every stage of its existence. They feel no wild desire of revenge, no frantic hate, no passionate love for old and long cherished, because contemned and persecuted opinions. They march onward as a sovereign people; the Irish have hitherto advanced as a conquered pro-

DERRYNANE ABBEY

vince. We have leaders whom we respect, and would respect them still more, if they had not basely and slavishly truckled to the dominant power of a bloated aristocracy, who, *if they could*, would trample upon the rights and privileges of the English people, in the same manner that they withhold from Ireland those advantages, to which she has a positive claim, as an integral part of the British empire. It is admitted that the English have no advocate whom they blindly and passionately adore ; the respect they pay, is that which an equal pays to an equal, who has rendered him service. The Irish offer a wild and passionate gratitude to the man, who has rescued them from destruction.

With this exordial sketch of the character of Mr. O'Connell, we shall proceed to an exhibition of the early circumstances of his life, each of which possesses a peculiar interest, as being illustrative of the rise and growth of those high intellectual powers, which have procured for him an ascendancy over the entire population of his country, equal to that which any crowned potentate ever held over his subjects.

Daniel O'Connell was born in the year 1776, near Cahirsiveen in the county of Kerry, and the house in which this event occurred, is now shown as an historical curiosity, and a hallowed spot to travellers. He is descended from a line of ancestors, who once enjoyed regal sway in that part of Ireland, now known as the county of Kerry. His family are to the present day extensive proprietors of land in that province, having in this respect distinguished themselves from many Irish families, who have neither retained their ancient patrimony, nor received for it any reasonable equivalent. The province of Kerry was once the kingdom of Iveragh, the traditional throne of which, is now occupied by Mr. O'Connell. This uncrowned sovereign of Iveragh enjoys a territorial revenue of between four or five thousand pounds a year, and which has descended in regular succession from heir to heir for many centuries.

The father of Mr. O'Connell was Morgan O'Connell of Carhen in the barony of Iveragh in Kerry, who was married to Ca-

therine daughter of John O'Mullane of Whitchurch in the county of Cork. The parents of the elder Mr. O'Connell had twenty-two children, of whom, upwards of one half lived to or beyond the age of eighty. Mr. O'Connell is at the head of one of those great Irish septs, whose fabulous history is carried through a vast procession of shadowy kings to the days of the great Milesius, and whose real origin, is like that of all the great families in Europe, involved in obscurity, which obscurity, however, is highly prized by the lovers of ancient descent, as like the Welsh genealogies, it can be carried back in imagination to the great progenitor of the human race. The Scotch clans and the Irish septs bear a strong resemblance to each other, and in the earliest periods of the history of those countries, we find the people included in those national communities, subject to the authority of some chieftain or petty sovereign, who exercised over them all the power and influence, generally vested in an hereditary monarch. Thus the head of the family of O'Connell was originally, it would appear, the chief or petty king of upper and lower Conelloe, in the county of Limerick, and afterwards of a portion of the county of Kerry, whence by the rebellion of 1641, they were driven to the county of Clare. The history of the family is pretty distinctly carried back to the commencement of the 15th century, a period beyond which few Irish families can penetrate by those legal documents, by which genealogy is best authenticated. On referring, however, to the history of Ireland, preserved in the British Museum, in the original manuscript of one of the O'Connell family, written in the Irish language,* we there find mention made of the family of the O'Connell's as far back as 1245, although the actual root of their genealogical tree does not exhibit itself. We, however, there read of a Daniel O'Connell, who proceeded to the north of Ireland, at the head of a considerable body of men, to repel the incursions of an invading force from the land

* We have good reason to believe that the O'Connell family are ignorant of the existence of this document. It is beautifully written, and may tend to throw considerable light upon the early history of their family, which is at present involved in obscurity.

of Morven, supposed to be Scotland, in which the latter were defeated, but according to the custom of those times, the victory was no sooner gained, than the victors and the vanquished quaffed the waissail bowl in peace and amity together, and the charms of the white-bosomed Agandecca made so powerful an impression upon the heart of the noble O'Connell, that her hand was demanded by him in marriage. The offer was, however, refused on account of a prior attachment on the part of the Highland beauty, which so mortified the pride of O'Connell that he determined to carry her off by force. The plan was, however, frustrated by Agandecca, to whom, the danger in which she stood, was made known, taking herself off suddenly to her native land, whither O'Connell did not think it prudent to follow her.

During the reign of Queen Elizabeth, Richard O'Connell was the chief of the family. He made a submission of the patrimonial lands to the crown, and received a regular tenure of them according to the English laws, rendering thereby the estates, virtually a fief of the crown. The English law, had not, indeed, up to this period been even nominally extended over the whole country. The Irish, in several parts adhered to their old customs, and maintained their old feuds. It was for Elizabeth to commence, and for her successor, who showed vigour only in cruelty, to continue, in a more extended form a system of depopulation, on which the advocates of English ascendancy at the present day cannot certainly look without horror. The general plan appears to have been the total extermination of the native Irish, and the occupation of their country by settlers from England and Scotland. When districts could be goaded to rebellion, a ready excuse was obtained, and in a commotion which took place in the county of Kerry, we find one of the ancestors of Mr. O'Connell taking a most prominent part in defending the rights of his countrymen against the encroachments, which a lawless and unprincipled government was making on the rights and property of the oppressed people. When no rebellion was actually commenced, powerful chiefs

could be accused of intending to rebel (a supposition in which the government knew it could not be far wrong, if it believed that these unhappy men had the ordinary feelings of human nature) and the same effects followed. Such an accusation was brought against the Earls of Tyrone and Tyrconnell, they knew too well its meaning to stand a trial, and on their flight, five hundred thousand acres were forfeited to the crown.

Nor was this the only method adopted. The Irish chiefs, in few instances, held their possessions by proper formal tenures, according to the law of England. They dreamed of no better title than the possession of a long train of ancestry, and the submission of their vassals. The scrupulous monarch, having a sacred regard for the proper forms of law, brought forward a claim on the part of the crown to those lands, and a portion only was restored to the original owners, under abject conditions. Great credit was assumed by the English government for bringing into culture the vast tracts thus appropriated, and for peopling them with a civilized race. But how were these things accomplished? The proprietors were driven from their possessions, and the labouring poor were exterminated, or remained as the slaves of the English settlers. One part of the country was thus civilized at the expence of infusing new grounds of hatred and animosity into the remainder, and of loading it with an additional burden of revenge.

Thus was it situated with the estates of the O'Connell family during the reign of Elizabeth; the proprietor had to choose between a direct seizure of the lands by the crown under some fictitious pretext of an infraction of the laws, and making a submission to the crown, by which the lands were suffered to remain in the hands of the proprietor, subject to such conditions, which virtually vested the property in the crown, but allowed the tenure according to the law established in England.

The eldest son of Richard O'Connell was in 1586, appointed

high sheriff of Kerry, a post which he filled with great credit to himself, and to the satisfaction of the government, which, at that period of our history was a task of no easy accomplishment, as the rights of the people clashed with the encroachments and usurpations of government, and thus the difficulty arose of steering such a course as in some measure to protect the former, at the same time that no visible offence was given to the latter, which hesitated not on the means that were to be adopted to punish its refractory functionaries, or those, who by any act of contumacy, threw any obstacles in the way of the accomplishment of its designs.

It would appear however that at this period, the members of the O'Connell family were strictly loyalists, for we find one of the descendants of Richard O'Connell raising a regiment of foot, for the service of James II, and signalizing himself at the siege of Derryland, and at the battles of the Boyne and Aughrim. It must however be admitted that this step on the part of John O'Connell, was not solely the result of his loyalty, for notwithstanding the aspect of liberality which James II assumed, and his professions of a wish to indulge all religions, there can be no doubt whatever that he intended to re-establish the Catholic Hierarchy in Britain, and with it, its arbitrary power. In this unholy attempt, Britain was right in resisting him, and right in driving him from the throne, when he proved incorrigible. The O'Connell family were always distinguished for their attachment to the catholic religion, and thus it is not improbable that the ancestors of the subject of this memoir showed themselves active and zealous in the cause of that sovereign, who secretly befriended their religion and under whose reign they had enjoyed a relaxation of the penal laws, which had before been kept in continued operation against them. They beheld in the throne long tenanted by their enemies, a friend and reverencer of their religion. It was impossible for them to look with alarm on his efforts against the freedom of England, or if they perceived them at all, to view them as more than a just humiliation of their enemies. So feeling, they rose in arms to resist the revolution and to support the

right of the reigning family. Whatever may be said of the other supporters of the detested race of the Stuarts, who will say that the O'Connell family, and with them the Irish people were not justified?

From the Revolution to the present century, the O'Connells being Roman Catholics, all the distinctions of the family were gained abroad. When the French Revolution broke out, their sphere of action being confined at home, on account of the restrictions to which they were subject on the score of their religion, the leading members of the O'Connell family joined the French royalist party against the revolutionists, who had trampled under their feet the sacred appendages of the altar, who had repudiated the authority of the pope, and who had adopted the goddess of reason as the object of their adoration, instead of the Saviour of mankind. One member of the family, Daniel O'Connell, after whom the subject of this Memoir was christened, particularly distinguished himself in the royalist army, fighting in the ranks of the very man, who a short time afterwards conspired to wrest his country from the dominion of England, who raised the standard of rebellion which brought many a noble spirit to the scaffold, who spread the horrors of a civil war over the most beautiful portion of the island, and who with bigotry and fanaticism, as his auxiliaries carried havoc and bloodshed into the hitherto peaceable habitations of the misguided people.

If Mr. O'Connell be disposed to add to his laurels as a popular idol, the less substantial attractions of high-named ancestry; if he indulges in the associations connected with a numerous body of ancestors, carrying with them honours, respectability and fame, no one can abrogate from him the claim, for if he boast of royal blood flowing in his veins on the paternal side, not less pure was that which he derived from the maternal, his mother's family being Milesian and his father's mother was of the family of O'Donoghue Dhaw, or black chiefs of their tribe.

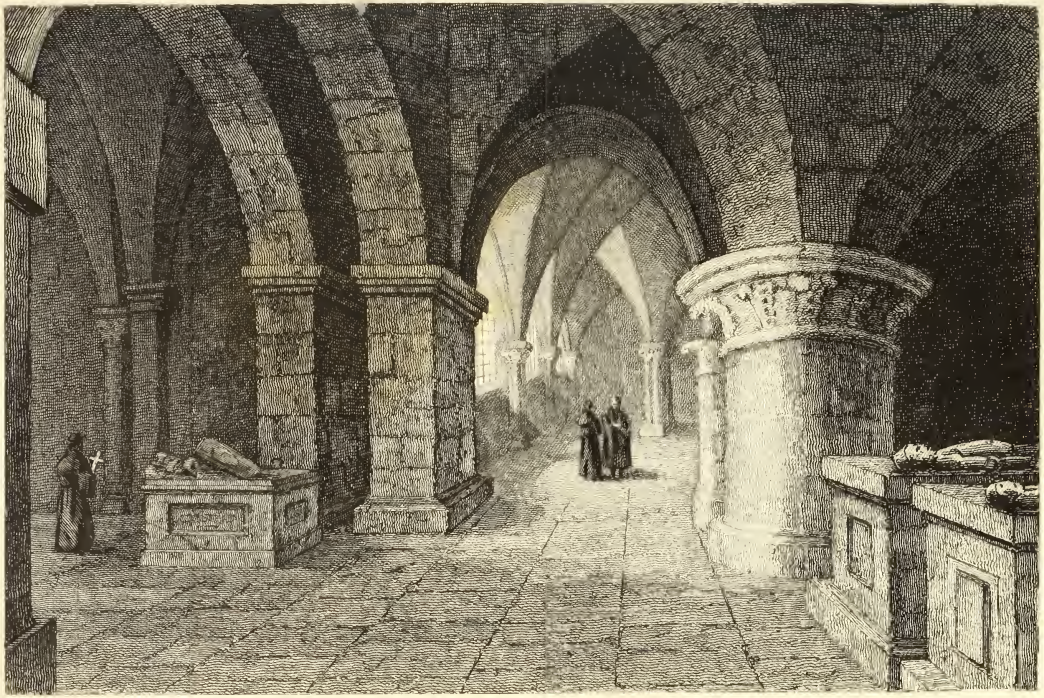
Of the boyhood of Mr. O'Connell, few particulars are extant. For the early rudiments of his education, he is indebted

to a worthy priest, whose mind, fortunately for his pupil, was not so encrusted with superstition and bigotry as to be impervious to the light of truth from whatever quarter it might come. It must also be allowed that the worthy priest had no ordinary materials to work upon. With an extraordinary aptitude to receive instructions, his youthful pupil far outstripped any of his juvenile cotemporaries in the acquisition of those principles of elementary knowledge, which afterwards shot forth with such wonderful exuberance, and by degrees stamped him as one of the greatest men of the age.

Destined to live a member of an enlightened community and to enjoy the inheritance of laws, dictated in the spirit of wisdom and liberty, Daniel O'Connell was early taught to unite to the duties of a citizen, the proud independence and dignified character of the man. He imbibed during his infancy neither prejudices nor falsehoods, and his heart was uncontaminated by vicious examples. It has been considered almost in the light of a truism, that a catholic education cannot be a liberal one, as it is accompanied with such a dogmatical spirit of sectarianism, as to preclude the admission of certain subjects, without the knowledge of which, no education can be perfect. A very limited intercourse with the world will be sufficient, utterly to disprove that proposition, although at the same time it must be admitted that the ascetic discipline of the cloister is not adapted to fit an individual for the more important avocations of human life. It must also be allowed that the mode of education adopted with young O'Connell held out to him none of those exciting examples, which emulate the youthful mind, and which contribute in a great degree to form the character of the man. The general rules of morality are formed by a constant observation of the fitness and propriety of actions in other men, but if the pupil be not brought into collision with other men, in what manner is he to form his judgement of the rectitude of their actions? What is fit to be done, and what excites universal applause, not only calls forth our approbation, but warms us into a spirit of imitation, grounded on the principle of a meritorious emulation. What ought to

be avoided we discover in the general sentiment of detestation, which attends the perpetration of crime. The propriety of the former and the deformity of the latter, quickly excites our emulation and abhorrence. We soon establish a general rule for the regulation of our conduct, which receives full confirmation from the opinion of the rest of mankind. It is thus that the general rules of morality are formed. They are ultimately founded upon experience of what in particular instances our moral faculties, our natural sense of merit and propriety approve or disapprove of. We do not originally approve or condemn particular actions, because upon examination they appear to be agreeable or inconsistent with a certain general rule. The regard to those general rules of conduct, is what is properly called a sense of duty, a principle of the greatest consequence of human life, and the only principle by which the bulk of mankind are capable of directing their actions. Without this sacred regard to general rules, there is no man, whose conduct can be much depended upon. It is this which constitutes the most essential difference between a man of principle and honour and a worthless fellow. The one adheres on all occasions, *steadily and resolutely to his maxims, and preserves through the whole of his life one even tenor of conduct.* The other acts variously and accidentally, as humour, inclination, or interest chances to be uppermost. The moralists have nearly exhausted their strength in descanting on the importance of these rules of conduct, in order to show that on the most scrupulous and attentive observance of them depends the very existence and happiness of human society, and which would crumble into nothing, if mankind were not generally impressed with a reverence for them.

With these preliminary observations, we turn to the mode of education adopted with the subject of this memoir. Nine cities contended for the honour of having given birth to Homer and three places may claim the honour of having contributed to the education of Daniel O'Connell. Having been emancipated from the trammels of his domestic tutor, who as far as *propriæ qui maribus* or *arma virumque cano* extended, was



well able to infuse into the mind of his pupil the beauties of the Roman classics, but who in regard to his knowledge of the world, or of those abstract sciences, which ought to have formed a part of the education of the heir apparent to the uncrowned sovereignty of Iveragh, was as lamentably deficient as the good monks of Mount St. Bernard, who though living in the world, and on the world, are as ignorant of the affairs of it as if they had fixed their residence in the very nucleus of the earth. To the good priests of the Dominican fraternity at Louvain was young O'Connell first assigned, then and there to be perfected in such knowledge and scientific wisdom, as the holy men had contrived to pick up during their restricted intercourse with the human world.

That this stock was not of any great magnitude, may easily be imagined, and at the same time it may be easily conceived that the austere and chilling manner in which their instruction was administered, was by no means calculated to instil into a mind like that of O'Connell any other sentiment than an aversion from the system, although at the same time, he might respect and esteem the individuals to whose care he was entrusted. The monasteries of France were at that time the great nurseries for Irish priests, and it has been generally supposed that young O'Connell was sent thither to educate him for the church. Whatever, however, might have been the intention of his parents, it is evident that strongly as he showed himself attached to the creed of his forefathers, sedulous as he showed himself in the acquisition of theological knowledge, and attentive as he was in the observance of all the ceremonies and formula of his religion, yet the dull uniformity of the monastic life ill accorded with that intense feeling, which exhibited itself in his character at an early period, and which plainly indicated that the cloister was not the sphere in which his intellectual energies were to display themselves. He is said to have stood by the graves of the good and holy men, who had grown grey in the cells of the monastry, whose life had been one dull monotony, and who with the exception of the regular performance of their clerical duties, had passed their days in inglorious ease, unknown to

the world, their being and their name, and at that moment would arise within him, the glowing aspirations of a noble ambition, which carried him to the green isle of his birth, and showed him in the perspective of his future life, the great achievements that could be done, where power and genius unite to rule the destiny of a nation, and break the chains, which tyranny and despotism have forged to enthral the human mind.

A monastic education is seldom one of an enlarged or scientific nature; the teachers themselvs being in general men of contracted ideas, who have mingled little in the world, and who are necessarily ignorant of those advancements which literature and sciences have made for the promotion of general and individual happiness. The patriot or the philosopher is rarely formed in the gloomy cloisters of the monastery, for the course of education is so restricted and so confined to a few objects, that the mind which under a more liberal method would have greatly and nobly expanded itself, becomes warped and stinted in its growth, and taking its views of things through a contracted medium, feels itself on its entrance into the world to cope with any of those great and important subjects on which the welfare of nations is founded, and which ultimately lead to the gradual perfectibility of the human race. Thus on the departure of young O'Connell from the control of his monastic tutors, his mind was richly stored with classical knowledge derived from the study of the works of the great men of antiquity which he was *permitted* to read, but from the majority of which he was debarred by the religious scruples of the individuals to whom his education was entrusted. It cannot, however, be denied that O'Connell brought with him from the cloister many of those peculiarities which belong solely to the ecclesiastical, office, and even some of his intontations and accents in public speaking appear at the present day to intimate that he once considered himself in a more close connection than that of a mere layman with the community amongst whom he was educated.

There is little doubt that Daniel was destined by his pa-

rents to be the wearer of the cowl and cassock, and his reasons for dissenting from their choice have never been made publicly known, perhaps the chief of them may be found in the circumstances of his clerical education. Prohibited by the crooked policy of the times from acquiring this in his own country, the study of catholic theology and administration could be prosecuted only in the French monasteries, and this necessity may have weakened his attachment, if it ever were strong to an office, which at home was thus exposed to all the ignominy of restraint and oppression. Patriotism the most enthusiastic, though perhaps not always the most discreet, has ever been the reigning quality of the O'Connell family, and whether priest or layman, monk or lawyer, bishop or barrister, O'Connell was destined after the example of his fathers, to fix his abode in Ireland, to exert his stupendous talents, and spend the fruits of his exertion amongst his own people. But what could his early ambition anticipate in associating the Catholic priesthood with a country, in which Protestant ascendency was the sheet anchor of the governing powers, and the watchword by which alone the most gifted individual could pass to their presence and patronage.?

Other reasons, however, subordinate or superior to this might have swayed his choice, and determined him on a profession more adapted than that of the church to his early talents and taste, as well as to his future aggrandizement and advantage. There is little doubt that some parts of his course of education at St. Omer, under the study of jesuit authors, and the direction of jesuit tutors, first gave his mind a turn in favour of the art, so essential to a successful barrister "of making the worse appear the better reason." It must also be taken into consideration, that previously to his entrance upon his monastic studies, he had under the roof of his parents known the endearing relations of a son and a brother; under these circumstances his early associations were formed, and it seems a peculiar mark of the wisdom of providence, thus to link duty with the durable impressions of infancy. Filial obedience has

in every country, and under every religion been inculcated and practised; the child, whose first ideas and affections have expanded in the bosom of a family, begins gradually to find himself a member of a community, and is taught to rejoice in its welfare, as necessarily connected with his own. But so strongly does he feel his first impressions, that the most forcible manner in which his connection with mankind can be pointed out to him, is by the well known relation of brotherhood, and the most perfect idea he can form of a just government, is that of a benevolent parent, anxious for the welfare of his family.

That O'Connell carried with him these associations to France, cannot be doubted, and it was equally true, that he had not been long an inmate of the gloomy walls of a monastery, than he found that his then abode was not the place in which those kind and amiable associations could be fostered and supported. The tender sympathies of human nature become choked in the cold and chilling atmosphere of a cloister, and sooner might we expect to see a rose blooming in an ice-house, than hope to find in the system of monastic education the inculcation of those noble and tender charities, by which human nature becomes ennobled. Ignorant of the endearing relation of a parent, estranged from all the tender ties of a husband or a father, the tenant of a cloister, absorbed in the misanthrophical gloom of his isolated office, is little calculated to foster those amiable propensities of the youthful heart, on which the future excellence of the moral character of the individual mainly depends. It is a truism not to be disputed, that the private duties of life are intended by Providence to be the first object of attention, but how were these to be taught to the youthful O'Connell in a place, where they are utterly unknown, and actually discarded as incompatible with the religious tenets, which the inmates of it profess; the fire of patriotism was at an early age burning in the breast of Daniel O'Connell, but as the freedom of his country was his aim, so did he perceive, that the basis of that column can only be durably fixed

on private morality, and that he who has trampled upon the duties of private life, can never pursue by just efficacious means the public good. With the consciousness of the existence of the power within him to benefit his country, O'Connell saw that the monastery was not the place in which that power could be exerted. The word country had for him every charm, he saw it in imagination rising with glorious splendour out of the chaotic darkness in which it had been so long envelopped and exhibiting to the world the grand, the noble spectacle of what a people can achieve, when confederated for the attainment of their rights, and their emancipation from the tyranny of lawless power. Had Providence given him birth on the dreary coasts of Africa or under the midnight darkness of the inquisition, and a happy circumstance had taught him the value of freedom a sense of patriotic duty would have taught him to sacrifice his life and happiness in attempting to humanize the monsters of Barbary, or enlighten the fanatics of Spain : and even if a country had courted his presence, where the sun of liberty shone unclouded by civil or religious persecution. As a native of Ireland he saw himself bound to use every effort to save his country from ruin. If the patriot sees a storm rising, which threatens like the blast of the hurricane, to sweep away the liberties of his native land, he is not justified in retiring from the scene of contention, and seeking an inglorious refuge from the devastation, which surrounds him.

One of the earliest precepts which was inculcated into the mind of O'Connell, *was justice in all our concerns with mankind*, and it may without exaggeration be said, that it is a rule from which he has never departed. If, however, it became with him a maxim of duty to act with justice to his fellow-men, it was also not less a maxim of duty with him, that justice should be done to his country, and even in his juvenility, he would often break out into the most violent expressions against those men in office, who seemed to treat his native country more as a conquered province, than as a part and parcel of the British Empire. The men who had the direction of his juvenile studies were from their peculiar situation well fitted to encourage those

dispositions, for born upon the same soil with himself, and conscious of the disabilities and restrictions to which they were subject, as belonging to the Catholic religion, he was continually listening to their declamations against the oppressors of their country, thereby increasing the intensity of the flame which a sense of the wrongs which his native land endured, had lighted up within him. He was a patriot in feeling before he scarcely knew the meaning of the term, or was cognizant of the duties attached to the character. The sphere in which he moved, and the country in which he was domiciled, were not well adapted to impart to him that general information, by which the human mind becomes so advantageously enriched; for the former excluded much, which was necessary for the full and efficient expansion of his intellectual powers, and the latter owing to its arbitrary and despotic laws, prohibited the inculcation of that knowledge which had a tendency to extend the bounds of human reason and diffuse the blessings of intellectual illumination over the rising generation. Had the mind of O'Connell been of an ordinary stamp, had it not been in its nature, grand, comprehensive, and original, there is little doubt but that at the close of his foreign education, a very partial development of mental energy would have been displayed, and he would have appeared upon the stage of the world as one of those common place characters, who mingle in the crowd of human bipeds, and sink into the grave in inglorious obscurity. He was in a certain degree shut out from all emulation, for where actual knowledge founded on the basis of reason, is not the aim of education, it is in vain to look for the formation of those great and noble characters, which are an ornament to human nature, and by which, in a restricted sense the universe is governed. A noble emulation will always keep the scholar in exercise, a reprimand will touch him to the quick, and honour will serve him instead of a spur, but where the aim of education is not a full expansion of the intellectual power, but a dull, monotonous inculcation of religious formulæ, and a strict observance of ecclesiastical ceremonies, a contraction of intellectual power is the consequence, the in-

nate talent of the individual is diverted from its true and legitimate bias, and that which under a proper mode of culture would have been beautiful and symmetrical, becomes by a system of mis-management, crooked, and deformed.

The impressions which O'Connell received in his early life were by no means calculated, to render him the character, in which he now appears; for with the exception of the knowledge of the latin language, which is the necessary part of the education of a Catholic, whether layman or priest, we do not find that the system of instruction adopted with him, comported with his rank in life, or with the sphere in which he was destined to move. The learning of the cloister is not the learning of the world, and no one will deny the propriety of rendering a part of education conformable to the state of society, and subservient to the general interests of the community in which men are destined to live, and act. To say that a priest can educate a man for the active purposes of human life, is tantamount to the proposition that a Mussulman can teach Christianity, or an English tory the practice of the principles of Magna Charta. In this respect, therefore, O'Connell, as far as the early part of his education extended, was unfortunate; the system was not commensurate to the subject which was to be acted upon, and when we reflect that the knowledge of right and wrong is chiefly obtained by our observations on the good and evil tendency of actions, and by our subsequent reflections on the degree of praise or blame attached to them by the general decision of mankind, it must be admitted, that it is only the mind of a Daniel O'Connell, that could have come out uninjured by the ordeal to which it was subject, or that could have so proudly and so nobly emancipated itself from the early shackles, which were imposed upon it.

The opinion which Mr. O'Connell held of the different modes of education adopted in France and England, may be gathered from the following tract written by him a short time previously to his leaving St. Omer, and which at the same time is no mean specimen of his literary attainments at the close of his foreign education.

" There was a time when England was superior to France in every point, in arts, sciences, and arms ; their mode of education, their government, their religion, were then much the same, so that it is probable nothing but a superiority of genius in the people gave Britain the pre-eminence. Richelieu saw this, and he laid a plan for the future greatness of France. He knew that men, like land, were to be improved only by culture, he changed their mode of education, he established several Academies, his successors added to them, and improved upon his design, so that there are in France, numbers of seminaries, where youth may have every assistance, both in theory and practice towards making themselves masters in any profession, or art, to which their genius or choice may direct them, whether in civil or military life, in arts or sciences. They have academies for politics in all their various branches, in which they are so minute as to have a particular one for the study of treaties only. They have abundance of military academies ; they have academies of sciences, academies of painting, sculpture, and architecture ; academies of the Belles Lettres, academies for the study of their own language and oratory. Out of these nurseries they constantly draw supplies of able statesmen, ambassadors, negotiators, and well principled and skilful officers ; excellent writers, in spite of the native poverty of their language, upon all sorts of subjects ; ingenious artists of all kinds, by the improvement of whose taste in their several manufactories, France is supplied with a greater fund of treasure, than she could have been by the richest gold mines. And what is most wonderful of all, admirable orators, never known to have sprung up before under an arbitrary government, and the most excellent compositions in eloquence that the moderns can boast of, in a language the least fitted of any for the purposes of oratory. By these means , she has made such a rapid progress in the career of glory as to astonish and dazzle the eyes of Europe, whilst England, which was a long time foremost in the race must now yield the prize, or if she attempts to vie with her in any of those arts, it must not be by a comparison of the living, but of the dead. What

has occasioned this wonderful change? Let us see whether it can possibly be accounted for upon any other principle but one. I mean the different modes of education in the two countries. England and France had once the same mode. England was then confessedly superior. France changed her mode of education, England did not. Richelieu began the work; his successor carried it to perfection. Buckingham endeavoured to rival him; was foiled by the factious spirit of the times; his successor never revived the attempt; the education remains the same unto this day. From that hour to this, France has been gaining, and England losing ground. If their present disparity does not arise from that principle, it must certainly arise from some material changes, made in the political or religious systems of these countries. Let us see what those changes were, and then judge whether they were likely to produce such an effect. Let us fix for the era, the ministry of Richelieu, at the beginning of which, England was confessedly superior to France. Her religion has continued the same, so that she could derive no advantage from that article. Her constitution, indeed, underwent a change for the worse, an absolute monarchy found no firm settlement there, till some years afterwards, and this in the usual course of things, ought rather to have prevented, than promoted her improvement. Now let us see what changes were made in England. Previously to that date, we had begun what was called a reformation in religion, which was afterwards confirmed. The English boasted in this respect of their pre-eminence over France; they made a change in their constitution, and after various struggles established a government upon the best principles, and after the best model in the world. All this makes in favour of the English, and on the first view we should pronounce, that if England were superior to France previously to those changes, she must at this day be infinitely before her. But alas! it is to be feared that these advantages are but ideal.

That the present splendour of France is entirely owing to the improvements made in their education, will admit of the

most ample proofs. Let it be considered that previously to these improvements, France made but a contemptible figure in Europe notwithstanding her extent of territory, and number of subjects. She had no reputation for arts, arms or policy; her language was poor, her manners brutal, her lands were uncultivated, her commerce neglected, and her country was untrodden by foreign feet; what was she a short time after the institution of those seminaries? let the reign of Lewis the Fourteenth declare. What is she now? Is she not in the most essential points, the mistress of Europe? do not the youth of all countries go to pay homage to this queen amongst the nations, whilst her own subjects keep their state at home? Are not her laws of fashion and of dress every where obeyed? Is not her language the currency almost of the world? Her rapid progress in arms, in commerce, in polity is too notorious to need being mentioned."

We are not disposed to enter upon a critical analysis of these juvenile opinions of Mr. O'Connell, considering them only of value as showing the tone and vigour of his mind, at that period of life, when the majority of young men direct their attention to far different subjects, than an investigation into the comparative excellence of the polity of nations. We dispute not that the establishments and public edifices for the convenience of public instruction in France are far superior to any thing which we can exhibit in this country, but on the other hand, it must be admitted, that there is a solidity and a general utility attached to the English mode of education, which is not to be found in the French. As to the French schools of oratory, Mr. O'Connell might have studied in them until the present moment, and if he had perhaps not possessed certain properties, the special gifts of nature, he would have been on a par with the present race of orators in France, who in the scale of oratorical excellence, stand nearly the lowest in Europe. Horace says *Poeta nacitur, non fit*, and the same rule will apply to the orator; he may gather at an academy those materials, which may tend to embellish and decorate the subject on which he is speaking, but to attain a proficiency in the art of oratory, such as is exhibited at the present day in Mr. O'Connell, requires

the possession of certain physical powers, which no instruction nor education can impart. Addison, with a highly cultivated and a classical mind, was lamentably deficient in those qualities, which are indispensably necessary to complete the character of an orator, on the other hand we have known many individuals, who, with not a tithe of the intellectual power which Addison possessed, have effected almost a revolution in the country, by the mere exercise of their oratorical energies. If we direct our attention to the legislative bodies of France, with the exception of about three individuals, there is not one, either in the chambers of peers or of deputies, who can lay the slightest claim to the character of an orator. The truth is, the French never were an oratorical people, and it is a difficult task to select in the whole range of their literature a speech, which can be put into comparison with even some of the minor orations of a Pitt, a Fox, a Sheridan, a Canning, or an O'Connell. What Rousseau, Cordillac, and Condorcet attempted to perform in France, that Locke and Milton attempted in England, but all their systems are liable to great objections, as tending to make inoffensive men, not active citizens, and this is the description of men suited to our genius and policy, which require vigour and activity in all the members of the state. For want of experience, the greatest geniuses have been the greatest visionaries, laying schemes, the least capable of being reduced to practice, or the most absurd, if they *had* been put in practice.

During the course of his academical studies, Mr. O'Connell did not neglect his gymnastic exercises, to which his strong and manly frame so peculiarly fitted him. Although he possessed a fund of extreme good humour, yet woe betide the individual, who offered him an affront for in the true spirit of pugnacity, for which his countrymen are distinguished, many an effeminate, conceited coxcomb, who effecting all the airs of the *petit maitre* considered himself entitled to pass his ill-seasoned jokes on the Irish foreigner, was made to feel the weight of his sturdy fist; a mode of fighting not much relished by the French juve-

niles, who looked upon a lock of hair torn from the head of their adversary, as a prouder trophy than a bloody nose or a blackened eye. In all the gymnastic sports, the athletic form of O'Connell generally enabled him to carry off the victory, and thus by degress he became the champion of the weaker, until he stood at last a kind of rampart, behind which the injured or the oppressed could shelter himself, and where he was safe from every attack, which superior strength or overweening pride could make against him. An anecdote is related of him, that having once chastised a young fellow in the way in which the English youths generally settle their quarrels, his adversary, like foreigners in general, being wholly ignorant of the fistic art, exclaimed *Ah! Monsieur O'Connell, nous nous ne battons pas en Franc avec le poing. Avec quoi donc*, asked O'Connell, *Avec l'epee ou la pistole*, was the reply. *Attendez un moment*, said O'Connell, and left the hall, where the dispute had taken place. In a short time he returned with a sword and pistol, and presenting them to his adversary, said *Tenez, mon ami, la choix est a vous, c'est a moi egal.* Le Gascon was confounded at this cool and collected manner of the young Irishman, and declined to make choice of either of the weapons; but O'Connell gained his point, for particular care was taken in future not to give him any offence, and as he was an individual who seldom gave any, an end was put to all broils, and to that petty strife in which captious youth is too prone to indulge.

At the time of Mr. O'Connell's residence in France, that great political tempest, which shook all the thrones of Europe to their base, was raging in its fullest fury. He may be said to have been cradled in anarchy, bloodshed and rebellion, and it is not therefore to be supposed, that a mind like his, rich in its attainments, comprehensive in its researches, could remain unaffected by the scenes which were passing around him, or that those scenes did not make certain forcible impressions upon him, which in after life were never obliterated, and which contributed in a great degree to the formation of that charac-

ter, which afterwards so peculiarly belonged to him. He instituted a comparison between the causes which led to the revolution of France, and the grievances by which his own country was oppressed, and although in their nature they were dissimilar, yet with the flame of patriotism burning within him, he saw that the means were within his grasp by which, gradually and peaceably, those grievances could be redressed, and the honour, the prosperity, and the political independence of his country established. He was then, it is true, living in a country, in which, according to La Fayette, who was one of the chief promoters of the French Revolution, *insurrection was one of the most sacred of all duties*, which declaration was echoed by the revolution society of London, which on the 5th of December 1792 came to the determination that they felt an agreeable sensation in beholding *that this right of insurrection had been successfully exercised in so large a country as that of France.*

It was impossible at that time to be a resident in France, without being more or less involved in the vortex of revolutionary warfare. There was scarcely a medium known in the opinions of men, nor was it scarcely possible to conceal what those opinions were. O'Connell saw the altars of his religion profaned and desecrated by a band of infuriated wretches, and a struggle arose within him, between a hatred of the causes which led to those excesses, and the means that were adopted for their extinction. With the principle firmly established in his mind, that the crown is held for the benefit of the people, he could not look on as a passive spectator upon the momentous scenes which were passing around him, and not feel some bursts of a patriotic spirit, overcoming every barrier which prejudice or antiquated customs might have thrown in his way, and directing his mind to the consideration of the political condition in which his native country was then placed. Every day demonstrated to him more clearly that the then unnatural order of things could not exist long, and in the high enthusiasm of his spirit, he saw that the period was fast approaching, when his country was to be rescued from its pre-

sent degraded and wretched condition. By degrees, the information crept through the portals of his cloistered residence, of the associations of his countrymen in the metropolis of France for the avowed purpose of emancipating their country from the galling and oppressive yoke of the English government. Of the full extent of the machinations of these men, he was fortunately not fully apprised, or otherwise impelled by the ardour of his patriotism, he might have found himself involved in those proceedings, which ultimately brought some of them to the scaffold. Perhaps at no period of European history, were the times so peculiarly calculated for the formation of a great political character, as that when O'Connell first entered upon the stage of active life. In England, ministers had by a long course of prodigality and wasteful expenditure, reduced this once happy country to the most abject misery and want. They had squandered away millions of money, and shed oceans of blood in prosecuting a most cruel and unjust warfare against the liberties of mankind, wherever the spirit of freedom had manifested itself. They had ever been prompt in the subjection of it, and in order to effect their diabolical purpose more effectually, they leagued with the other tyrants of Europe to annihilate liberty, and to persecute all, who had the boldness to resist them. England, once the proud, the happy, and the free was held up to the execration of every enlightened state of Europe, and the odious acts of the British government were reprobated by every honest individual. The utility of kings became a questionable subject. O'Connell had seen one throne fall around him, and he had heard the storm growling at a distance, which threatened the subversion of another. Whatever his traducers may say to the contrary, O'Connell was always attached, even from his earliest years to royalty, but he was one of those, who expect something more from a monarch than those airy, unsubstantial pageants, feasts, balls, and exhibitions. fishing in Virginia waters, and hunting after Dutch pictures with copper saucepans in them, in the puerile admiration of which, they would fain be kings themselves, but are mere images and shadows. O'Connell had read in Plutarch, in his

life of Themistocles, that when Demaratus desired of Artaxerxes that he might be permitted to go in procession through Sardis with a diadem on his head, one of the king's cousin's whispered in his ear, the "diadem," my good friend, "does not carry brains with it to cover, nor would you be Jupiter, were you even to take hold of his thunder."

The study of history formed no secondary part of the education of Mr. O'Connell, and by the aid of the knowledge acquired in that study, he was enable to trace the rise and fall of emperors, and particularly the paramount influence which the moral character of the sovereign has upon the people, whom he governs. With every disposition to allow a monarch, full latitude in some particular branches of his government, there were others, over which, it behoved the people to keep a perpetual control, a relaxation of which had been the cause of the anarchy and rebellion by which he was surrounded. The despotism and the bigoted prejudices of a king, had exposed the fairest portion of Europe to rapine, murder, sacrilege, and every species of moral excess; and this was a picture which O'Connell could not be made to consider as one that ought to be the representative of a king. In his opinion a true king is like a statue personifying power, glory, and virtue, standing on a pyramid.* His smiles confer honour; his familiarities, pleasure; his protection, power; and his generosity, wealth, influence, and rank. And yet, Seleurus declared, that no man who knew the weight of a sceptre, before he attempted to raise it, would stoop two inches to pick it up. Montaigne, however, in the insolence of philosophy, presumed to assert, that there was little more trouble in governing a kingdom, than in ruling a house, and it must be confessed that in most houses, as in most kingdoms, there is trouble enough.

The station of a monarch abounds in honours, trusts, lux-

* We daily behold the statue of the son of a king perched on a pyramid, which personifies neither power, glory, nor virtue, but their reverse, vice, immorality, licentiousness and debauchery. How deeply steeped in stupidity and folly must a people be who can allow such a monument to disfigure their country.

eries, and duties, but monarchs themselves acquire melancholy experiences of human infirmity. What an abject conception, too, are they fated to have of human nature. Their duty consists in encouraging virtue, learning and knowledge; advancing happiness and causing the human mind to expand and aspire. But, sensible of their duties, their practice is often that of compulsion, from the obstacles, perpetually thrown in their way; the baseness of the instruments they seem often constrained to employ; the ignorance of facts, which to them only are secrets; the deceits, daily practised upon their judgments, and the libels and calumnies, which every moment are vented against them, by titled as well as untitled ignorance, insolence, misconception and malevolence.

> Reveraque metus hominum, curæque sequaces,
> Nec metuunt sonitus armorum, nec fera tela,
> Audacterque inter Reges, rerumque potentes,
> Versantur, neque fulgorem reverentur ab auro.
>
> LUCRETIUS.

With the knowledge that it was the fashion, not only with the political, but the personal enemies of Mr. O'Connell, at almost every period of his life, to represent him as inimical to royalty, and inclining greatly to republicanism, we have thus entered into an exposition of his opinions on that most prominent of all political questions, at the same time that it is pleasing to rescue his character from one of those groundless assertions, which political animosity has been so industriously employed in circulating to his prejudice.

His foreign education being completed, Mr. O'Connell returned to his native country, but as he had selected the profession of a lawyer for his future advancement in life, he was under the necessity of undergoing the formality so inconvenient to Irishmen of studying that profession in England, and therefore it was at the Middle Temple in London, where he betook himself to the investigation of the jejune intricacies of the crafty science of the law. As a Roman Catholic, he found many ob-

stacles thrown in his way, which the overbearing protestant ascendency had in the plenitude of its intoleration craftily and subtilely devised, to exclude the members of the church of Rome from any participation in an enjoyment of those rights and privileges, to which as British subjects they were entitled. Mr. O'Connell however, to use the phraseology of the gentlemen of the bar, kept his terms, or in other words, he daily presented himself at the dinner table, during the continuation of the law terms, which is, also called eating your mutton, of which according to the rules of the enlightened body of lawyers, a certain number of legs must be swallowed, before the student is considered a fit and proper person to be called to the bar.* Having gone through the requisite exercises and examinations, Mr. O'Connell was in the Easter term of 1798 admitted to the Irish bar.

The time of his admission was singularly auspicious. The bar in Ireland had just been opened to the Catholic pleaders, and although they were promised at the opening, no higher than the minor honours of the profession, it was impossible for a mind of Mr. O'Connell's ardour and resolution, to be persuaded that by the time he was qualified to rise, the opportunities of rising would not present itself before him. This hope was for a time disappointed, but he had many gratifying considerations to support him under the disappointment. It was not in the nature of Mr. O'Connell to despair of anything upon which his heart is set as an undoubted right, and on which he could employ his hand with freedom to make good. He anticipated the desired opening, that the courts of Irish law, as well as the government and the Church would be goaded by efforts like his own to mature, and perfect tolerance. But while this consummation tarried, he had the suffrage of others, as well as the perfect consciousness of his own mind; that he stood al-

* The ridiculous ceremony which is practised at the Hall of the Honourable Society of Grays Inn, on the admission of a member, can only be compared to the farce which is enacted by the Knights of St. John of Jerusalem, who invest the newly created knight with the right to all their vast estates in Europe and Asia, provided he can find out whereabouts they are situated.

ready as high in his profession as a Catholic lawyer in Ireland could at that time rise.

In his progress to this envied elevation he had to complain of much fewer difficulties than usually attend a candidate for either the English or Irish bar in any stage of his progress. Clients multiplied around him from almost the earliest exhibition and experiment of his professional talents. The cause too of his rapid success was evidently nothing evanescent or precarious, but a manifest superiority in all the essential qualities of a sound and skilful leader.

The author of the sketches of the Irish bar in the New Monthly Magazine, understood to be a gentleman, who has had opportunities of knowing Mr. O'Connell, has given so interesting and lively a view of his appearance and habits, that we shall readily be excused for transcribing it.

"If any of you, my English readers, being a stranger in Dublin should chance in your return on a winter's morning from one of the 'small and early' parties of that raking metropolis —that is to say, between the hours of five and six o'clock—to pass along the south side of Merion Square, you will not fail to observe that, among those splendid mansions, there is one evidently tenanted by a person, whose habits differ materially from those of his fashionable neighbours. The half-opened parlour-shutter, and the light within, announce that some one dwells there, whose time is too precious to permit him to regulate his rising with the sun's. Should your curiosity tempt you to ascend the steps, and, under cover of the dark, to reconnoitre the interior, you will see a tall, able-bodied man standing at a desk, and immersed in solitary occupation. Upon the wall in front of him there hangs a crucifix. From this, and from the calm attitude of the person within, and from a certain monastic rotundity about his neck and shoulders, your first impression will be, that he must be some pious dignitary of the Church of Rome absorbed in his matin devotions. But this conjecture will be rejected almost as soon as formed. No sooner can the eye take in the other furniture of the apartment—the book-cases clogged with tomes in plain calf-skin binding, the blue-

THE FOUR COURTS, DUBLIN.

covered octavos that lie about on the tables and the floor, the reams of manuscript in oblong folds and begirt with crimson tape—than it becomes evident that the party meditating amidst such objects must be thinking far more of the law than the prophets.

"He is, unequivocally, a barrister, but apparently of that homely, chamber-keeping, plodding cast, who labour hard to make up, by assiduity, what they want in wit; who are up and stirring before the bird of the morning has sounded the retreat to the wandering spectre—and are already brain-deep in the dizzying vortex of mortgages and cross-remainders, and mergers and remitters, while his clients, still lapped in sweet oblivion of the law's delay, are fondly dreaming that their cause is peremptorily set down for a final hearing. Having come to this conclusion, you push on for home, blessing your stars on the way that you are not a lawyer, and sincerely compassionating the sedentary drudge, whom you have just detected in the performance of his cheerless toil. But, should you happen, in the course of the same day, to stroll down to the Four Courts, you will be not a little surprised to find the object of your pity miraculously transferred from the severe recluse of the morning into one of the most bustling, important, and joyous personages in that busy scene. There you will be sure to see him, his countenance braced up and glistening with health and spirits with a huge, plethoric bag, which his robust arms can scarcely contain, clasped with paternal fondness to his breast—and environed by a living palisade of clients and attorneys, with outstretched necks and mouths, and ears agape, to catch up any chance opinion that may be coaxed out of him in a colloquial way, or listening to what the client relishes still better, for in no event can they be slided into a bill of costs—the counsellor's bursts of jovial and familiar humour; or, when he touches on a sadder strain, his prophetic assurances that the hour of Ireland's redemption is at hand. You perceive at once that you have lighted upon a great popular advocate; and, if you take the trouble to follow his movements for a couple of hours

through the several courts, you will not fail to discover the qualities that have made him so: his legal competency—his business-like habits—his sanguine temperament, which renders him not merely the advocate, but the partisan of his client—his acuteness—his fluency of thought and language—his unconquerable good-humour—and, above all, his versatility. By the hour of three, when the judges usually rise, you will have seen him go through a quantity of business, the preparation for and performance of which would be sufficient to wear down an ordinary constitution; and you naturally suppose that the remaining portion of the day must, of necessity, be devoted to recreation or repose; but here again you will be mistaken; for, should you feel disposed, as you return from the courts, to drop into any of the public meetings that are almost daily held, for some purpose, or to no purpose, in Dublin, to a certainty you will find the counsellor there before you, the presiding spirit of the scene, riding in the whirlwind, and directing the storm of popular debate, with a strength of lungs and a redundancy of animation as if he had that moment started fresh for the labours of the day. There he remains, until, by dint of strength or dexterity, he has carried every point; and from thence, if you would see him to the close of the day's eventful history, you will, in all likelihood, have to follow him to a public dinner, from which, after having acted a conspicuous part in the turbulent festivity of the evening, and thrown off half-a-dozen speeches in praise of Ireland, he retires, at a late hour, to repair the wear and tear of the day by a short interval of repose: and is sure to be found, before dawn-break next morning, at his solitary post, recommencing the routine of his restless existence. Now any one who has once seen, in the preceding situation, the able-bodied, able-minded, acting, talking, multifarious person I have been just describing, has no occasion to inquire his name—he may be assured that he is, and can be no other than 'Kerry's pride, and Munster's glory,' the far-famed and indefatigable Daniel O'Connell.

"His frame is tall, expanded, and muscular; precisely such as befits a man of the people—for the physical classes ever look

with double confidence and affection upon a leader who represents in his own person the qualities upon which they rely. In his face he has been equally fortunate; it is extremely comely. The features are at once soft and manly; the florid glow of health and a sanguine temperament are diffused over the whole countenance, which is national in the outline, and beaming with national emotion. The expression is open and confiding, and inviting confidence; there is not a trace of malignity or wile —if there were, the bright and sweet blue eyes, the most kindly and honest-looking that can be conceived, would repel the imputation. These popular gifts of nature, O'Connell has not neglected to set off by his external carriage and deportment—or, perhaps, I should rather say, that the same hand which has moulded the exterior has supersaturated the inner man with a fund of restless propensity, which it is quite beyond his power, as it is certainly beside his inclination, to control. A large portion of this is necessarily expended upon his legal avocations; but the labours of the most laborious of professions cannot tame him into repose: after deducting the daily drains of the study and the courts, there remains an ample residuum of animal spirits and ardour for occupation, which go to form a distinct, and, I might say, a predominant character—the political chieftain. The existence of this overweening vivacity is conspicuous in O'Connell's manners and movements; and being a popular, and, more particularly, a national quality, greatly recommends him to the Irish people—'*mobilitate viget.*'—Body and soul are in a state of permanent insurrection. See him in the streets, and you perceive at once that he is a man who has sworn that his country's wrongs shall be avenged. A Dublin jury (if judiciously selected) would find his very gait and gestures to be high treason by construction, so explicity do they enforce the national sentiment, of 'Ireland her own, or the world in a blaze.' As he marches to court, he shoulders his umbrella, as if it were a pike. He flings out one factious foot before the other, as if he had already burst his bonds, and was kicking the Protestant Ascendency before

him; while, ever and anon, a democratic, broad-shouldered roll of the upper man, is manifestly an indignant effort to shuffle off the oppression of seven hundred years.' This intensely national sensibility is the prevailing peculiarity in O'Connell's character; for it is not only when abroad, and in the popular gaze, that Irish affairs seem to press upon his heart—the same Erin-go-bragh feeling follows him into the most technical details of his forensic occupations, Give him the most dry and abstract position of law to support —the most remote that imagination can conceive, from the violation of the Irish Parliament—and ten to one but he will contrive to interweave a patriotic episode upon those examples of British domination. The people are never absent from his thoughts. He tosses up a bill of exceptions to a judge's charge in the name of Ireland, and pockets a special retainer, with the air of a man that dotes upon his country. There is, perhaps, some share of exaggeration in all this; but much less, I do believe, than is generally suspected, and I apprehend that he would scarcely pass for a patriot without it; for, in fact, he has been so successful, and looks so contented, and his elastic, unbroken spirits are so disposed to bound and brisk for very joy—in a word he has naturally so bad a face for a grievance, that his political sincerity might appear equivocal, were there not some clouds of patriotic grief or indignation to temper the sunshine that is for ever bursting through them."

The author of "The Tour of a German Prince" says Mr. O'Connell, in his usual strain of lively affectation—"Daniel O'Connell is, indeed no common man, though the man of the commonality: his exterior is attractive, and the expression of intelligent good-nature, united with determination and prudence, which marks his countenance, is extremely winning. It is impossible not to follow his powerful arguments with interest; and such is the martial dignity of his carriage, that he looks more like a general of Napoleon's than a Dublin advocate."

One of the greatest sources of attack on Mr. O'Connell, is an alleged predilection for personal abuse. The urgency with

which this charge has been brought forward, certainly shews a lack of others of greater moment; but, passing this by, it must be admitted that his personal sarcasm has on many occasions, not been stinted. The habit is characteristic of the warmth of temper and openness of disposition of a man, whose enmities, by all accounts, have been very few, and by no means bitter. Still the habit of making personal remarks, is one which, all must admit, it is well to restrain; while it is a very questionable matter whether Mr. O'Connell has been generally placed in a situation, where a man of warm blood could by any possibility, be restrained from using language characterised by a little heat and asperity. Let any one read the speeches at Orange meetings of the present day—let him then imagine what their virulence and ferocity must have been when the law drew a broader line of distinction between the Protestant and the Catholic. Any man who would have been able to bear so great a mass of obloquy with calmness, must have had cool blood, indeed, too cool, certainly, for a successful popular champion. Let us transfer ourselves, for a moment, to the land of Orangemen, and Peep-o'-day Boys, and Oak Boys, and Steel Boys, and White Boys, and Defenders, and Rockites, the land of the "Black North," and the Wild West;" let us picture to ourselves, a man rising in the midst of this turmoil of party strife and violence, a man shut out, by the narrow-minded bigotry of a party, from the proper rewards of his profession, while he is, at the same time, the object of their hate, from the honours he has acquired in spite of them; picture this man becoming the champion of the popular cause, against this virulent and oppressive faction: it would be as absurd to expect the amenities of complimentary language from such a man, as to have expected French politeness from the cuirassiers at Waterloo.

In this particular, the oratory of Mr. O'Connell has been compared to that of the late William Cobbett, whereas it does not require very great discriminatory powers to discover, that little or no resemblance exists between them. Cobbett could scarcely ever rise above mediocrity as an orator, whilst on the

other hand, in the speeches of Mr. O'Connell, we discern impassioned eloquence, argumentative reasoning, classical elegance, and a strict observance of all the nicer rules of oratory, to which the uneducated Cobbett was a total stranger.

Encouraging as were the legal prospects of Mr. O'Connell, he nevertheless saw himself under the thraldom of those laws which bigotry had enacted, and which an infuriated spirit of intolerance was always anxious to enforce, his political sensibilities and his catholic jealousies became aroused, and by degrees they rendered him the determined and devoted advocate of what he, doubtless, honestly deemed the rights of his country and his church. On the maintenance of that opinion, he was upright, consistent, and unflinching; he held Catholic emancipation to be the panacea, the political balm of Gilead, which was to remove the complicated disorders of Ireland, disorders which had been producing and acquiring strength, and rooting themselves in the very vitals of the land, during six centuries of domestic and political commotion.

It will not be considered irrelevant to take a retrospective glance of the origin of those religious differences, which went hand in hand with the aggrandizement in increasing the oppressions of Ireland. It is the existence of those oppressions which called forth the exercise of the stupenduous talents of Mr. O'Connell, which has for ever identified his name with the history of Ireland, and invested him with a power and an influence, superior to that of the crown itself.

When the reformation was forced in England by the sudden denunciation of an arbitrary monarch, it fell on not unwilling ears. The clergy had watched the controversy in its progress, and many of them were converted in their hearts, before they were ordered to change, whilst an enthusiastic hatred of popery was quickly communicated to the common people. In Ireland, however, it was otherwise. The dignified clergy had not much communication with the parish priests, who spoke a different language, and were almost of a separate country. The doctrines of the reformation therefore, had not been discussed amongst them, or much known, and when they were

suddenly called on at the command of an impervious monarch in another land, to abandon the cherished faith of their ancestors, to overturn all that had been venerated and adored by the people for centuries, and forget the doctrines in which from their earliest years they had been taught to build their hopes of salvation; disgusted and indignant they spurned a sacrifice by which they must have been degraded indeed, before they could have readily made.

But although the English monarch could not control the consciences of the Irish people, he had the command of the Parliament and the appointment of the bishops. So degraded and dependent was the position of the Parliament, that notwithstanding the Catholic feeling of many of its members, we find it passing the act for the king's supremacy over the church; repealing it on the accession of Queen Mary, and again inacting it on the order of Elizabeth. The last step was accomplished by a packed House of Commons, which at that time was composed of any but the representatives of the people, but were in reality, the servile tools of a bigoted and intolerant government. By this venal House of Commons writs were refused to many of the counties, and Protestants summoned wherever they could be found. Thus did the whole Roman Catholic population of a large country find a handful of Protestants suddenly order them to resign their old worship, and assume a form they had been taught to believe it was heretical, blasphemous, and at variance with salvation. It was not wonderful, they rejected it with disdain, and it is honourable to the consistency of human nature, that the more bitterly, uniformity was enforced by iron-handed laws, the more firmly did the unfortunate multitude, ignorant and unenlightened, adhere to their old faith. In many places, the Roman Catholic religion continued to be taught in defiance of the laws, in others, none was taught at all, the churches fell in ruins, and the people grew more savage. The enforcement of the new religion, joined to the forfeitures, constituted the cause of some of those rebellions which devastated Ireland, and exposed it to all the horrors of a civil war.

We will now advert to a period in history almost as important in the history of Catholic Ireland, as the reformation itself, and the juncture out of which, the late system of persecution against the Catholics had its origin, the revolution of 1688, the event "of glorious memory." As soon as William III was established on the throne, several laws were passed for the purpose of depressing the Roman Catholics. Protestant ascendency was the general cry, and every effort was made by the Protestant party to suppress doctrines to which they objected. In Ireland, this was done to a great extent, and the dominant party were aided by the composition of the House of Commons, and the extent of time for which, members were elected. Roman Catholics were excluded from Parliament, and the members of the House of Commons were elected for the life of the reigning sovereign. The inconvenience of responsibility was entirely removed, and the members of the the House of Commons acquired interests separate and exempt from the control of their electors as absolutely and mischievously, as they would have done, if they had been members of the House of Lords. Many efforts were made to abolish this state of things, and in the year 1767, partly by clamour and partly by intimidation, the House of Commons was induced to pass a bill shortening the duration of Parliament. The Lords assented to it, in the hope that it would have been negatived by the crown, and that the odium of its rejection would not be thrown upon them. To the surprise however, and to the horror of both Houses, the royal assent was given to it. In 1778, only a few years after, the Irish Catholic Relief Bill passed. It repealed many of the offensive provisions of the statute, which the Dutchman "of glorious and immortal memory had consented to inflict upon the country.

To the Irish, however, the revolution proved of very different import, from what it was to Britain. In England and Scotland, the reformation of religion was looked on in itself as a relief from spiritual despotism, and was associated with the civil freedom of which it was the fore-runner. The fabric of the British constitution grew and flourished under its auspices,

and all attempts to restore the Catholic religion, were allied in the minds of the people with arbitrary power, the dominion of haughty priests, and the baneful influence of foreign despots. The Protestant religion had been boldly defended; the British constitution, imperfect as it then was, had been purchased by the blood of the best and bravest in the land, all the highest and the best rights and associations were marshalled in the support of both, and called for a bold struggle in their defence. Ireland did not hail the revolution with similar feelings; and how could she? To her, the British constitution had been no loving mother, but a tyrannical step-dame. As it acquired health and vigour and years, the Irish only knew the change by the weight of its hand in persecutions. The dearer a friend it became to the Englishman, and the more he could rely on it for the maintenance of his rights, the more it became the Irishman's enemy, and the more grievously he felt its oppression. The laws of property visited him only to pillage; the privileges of his parliament were only to oppress him, and even the great palladium of our liberties, the trial by jury, was known to him only as one of the instruments of his persecutor.

In short, the Irishman felt the British constitution only as a powerful instrument in the hand of his enemy, and it was not to be wondered at, that he did not come forward to make a sacrifice for its preservation, still less were the Irish called upon to come forward in defence of the Protestant religion. It was a foreign plant, a kind of exotic, which would not take root in their soil, or which required a mode of culture of which they were ignorant, or if knowing it, they felt no disposition to call it into practice. It was associated with more than a century of oppression and injustice, with desecrated altars, ruined churches, and ministers of God driven from their homes. It was to them more darkly allied with foreign influence, than the Catholic religion had become in the eyes of the Englishman. In declaring the King of England the supreme head of the church, it gave them a spiritual governor more to be dreaded, because more powerful than the Pope. The Protestant reli-

gion was the religion of their enemies; the religion their enemies had striven to force upon them. They would have acted contrary to common human nature, had they come forward as its defenders.

Every advantage which has been gained by the mass of the population of Ireland deprived the Protestant faction of a portion of their power, and of the fruits of mis-government. Having for a length of time enjoyed all the benefits which the partial favour of the government could confer, they were loath to permit it to diminish, and contested every encroachment made in them with ferocity and zeal. The peculiarity of their position they either did not, or cared not to regard. The undue influence they had obtained was never suggested to them, and it was ascribed to treasonable intentions, when any suggestion was made that the Roman Catholics were entitled to equal favour and protection with themselves. But with them the term Protestant was associated with ascendancy; with the monopoly of power; with the possession of all that it is desirable for persons to aspire to obtain. In the mind of the Catholics, it implied political and social degradation; disqualification to appointment to offices of trust and value; the unequal administration of the law, the infliction of the grossest injustice, under pretence of carrying the law into effect; regulations, which interfered with all public confidence, and destroyed the security of private happiness.

A war of three years, terminated by the siege of Limerick, extinguished the hopes of the Stuarts in Ireland, and laid their Roman Catholic followers again at the mercy of the Protestants of England. Again there were ample forfeitures, and the haughty courtiers, whom William knew he could only keep as his supporters by handsome payment, and exorbitant largesses, had at their disposal a tract of country estimated at 1,060,792 acres. The country was drained of its best and bravest sons, who in crowds sought refuge on the continent, and the forfeitures, wholesale, and bit by bit, had reduced and paralyzed Roman Catholic property, until such a thing was

hardly known to be in existence. Yet William was more just than his age, and he discovered symptoms of lenity towards the Catholics, which shewed that, if he had not been the King of England, they might have hoped for fair dealing at his hands. He restored 233,106 acres and reversed 74,722 outlawries. It must be admitted that during his reign, several oppressive acts were allowed to pass, but it seems fair and candid to believe that the blame to be attached to William on account of these, arises more from his weakness in allowing them to pass against his inclination, than his having designed to persecute, and the same remark may apply to his conduct towards the English dissenters.

It must be confessed that William had a strange mixture of heterogeneous elements to deal with. In England, his high church peers wished him to persecute the Presbyterians and other dissenters; in Scotland, the Presbyterians just relieved from oppression, called on him to extirpate their enemies of the episcopal persuasion, and in Ireland he was called upon to subject a whole nation of Catholics to the rod for the gratification of a few Protestants. It appears then, from the testimony of the Irish writers of the age, that though he was compelled to pass severe laws, his administration of them was mild and beneficent, that he gained the good esteem of the Catholics, as he did of the Protestant dissenters; that trust between man and man began to appear in the bruised and oppressed Catholic population, that they began cheerfully to look forward to coming prosperity, and the time, when they might enjoy the security of equal laws. But the Protestant ascendancy system did not allow these happy prognostications to remain uninterrupted, and the accession of Anne dispersed them. So much for the character of a man, whose name as the Prince of Orange, has been polluted by becoming the watch-word of persecution, to the intolerant Orangemen, whose principles are far separated, indeed from his.

The courage displayed by the Roman Catholics in their protracted struggle enabled them to obtain a pacification on respectable terms. They were embodied in the treaty of Li-

merick, concluded on the 3rd of October 1691. The first article of this celebrated treaty deserves particular attention. It is as follows:—

"The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion as are consistent with the laws of Ireland, or as they did enjoy in the reign of king Charles II., and their majesties as soon as their affairs will permit them to summon a parliament, will endeavour to procure the said Roman Catholics such farther security in that particular, as may preserve them from any disturbance upon account of their said religion. By the second article, such retainers of James as might submit themselves, were to hold, possess, and enjoy all, and every, their estates of freehold and inheritance, and all the rights, titles and interests, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully entitled to in the reign of king Charles II, or at any time since, by the laws and statutes that were in force in the said reign of King Charles II. It was made a condition that all persons claiming the benefit of these acts should take the oath of allegiance, which was declared to be in these simple terms. I, A. B, do sincerely promise and swear, that I will be faithful and bear true allegiance to their majesties King William and Queen Mary. So help me God. This was in very different terms from the oath of supremacy in England, which has been extended to Ireland, and it was accordingly viewed as an offer of good terms to the Roman Catholics. The government, however, changed its mind, and in direct violation of the treaty, an act was passed in England, professing to abolish the old oath of supremacy, and impose a new one, along with a declaration, which no Roman Catholic could conscientiously make, commencing, as follows. I, A. B. do solemnly and sincerely in the presence of God confess, testify and declare, that I do believe that in the sacrament of the Lord's Supper, there is not any transubstantation of the elements of bread and wine into the body and blood of Christ, at and after the consecration thereof by any person whatsoever, and that the invocation or adoration of the Virgin Mary, or any

other saint, and the sacrifice of the mass, as they are now used in the church of Rome, are superstitious and idolatrous, &c.— This declaration was appointed to be taken by the members of the Irish parliament, and Roman Catholics were thus excluded from the legislature. It likewise excluded them from all offices, ecclesiastical, civil or military, and *barristers* practising without taking it, were liable in a penalty of £500. But these were comparatively light matters, and only a commencement of the persecution. It was necessary to confirm the treaty of Limerick by parliament. To do so nominally, the legislature could not, with an approach to decency and good faith refuse, but it was only done *nominally*. The act confirming it made insidious distinctions, which a few members of the Irish House of Lords, who had sufficient spirit to protest, said put the Catholics in a worse condition than they were before. It may be mentioned as a curious anomaly in history, that this protest is signed by six bishops, but our surprise ceases when we reflect that they were of William's choice.

Having blocked up the approaches to power and emolument against the Roman Catholics, the ascendency party were not dilatory in framing laws still further to coerce them, but individuals were still more expeditious than the legislature, and prepared for its severities by anticipating them. Within a short period after the pacification, the lords justices, who had the temporary government of Ireland, received numerous complaints against the justices of peace, and other magistrates for dispossessing the Roman Catholics of their property, contrary to the letter of the law. They received complaints, but they could not or dared not act on them. The Protestants began their long reign of hatred, and even before they had made the laws which justified them, they could not be checked in their persecutions. The first Irish Parliament of William's reign gave fuller scope to the spirit. It was enacted that every description of churchmen of the Roman Catholic persuasion should leave the kingdom before the first of May, 1698. Those, who remained behind, were to be imprisoned, to remain in prison without bail, till transported, and if

they returned from transportation, to be adjudged guilty of high treason, and to suffer death according to all the abominable formalities then used in the punishment of that crime. It was further enacted, that any person who should be led by zeal or humanity to harbour a priest, should be liable for the first offence in a penalty of £20, for the second, in double that sum, and for the third, in the forfeiture of his moveable property, and the life rent of his landed property. Much about the same period, it was resolved in Parliament, that a harassing statute of the reign of Elizabeth, which rendered every one absent from divine worship in the established church, liable in a fine, should be put in execution.

These lopped the branches, but it was determined on to strike at the root. Amongst a fugitive clergy, compelled to conceal their profession, or to hide themselves amongst the mountains, and morasses, it was not likely that many young Catholics could be educated, but they might be educated abroad, and the law was made to stretch its hands to other countries. The statute for this purpose being one of persecution, is clear and unambiguous, and its sense cannot be more emphatically told than in its own words, which provided, that if any subjects of Ireland should after that session of Parliament go, or send any child or person to be educated in any popish university, college, or school, or in any private family, or if such child should by any popish person, be instructed in the popish religion, or if any subjects of Ireland should send money or other things towards the maintenance of such child or other person, already sent or to be sent, every such offender being thereof convicted, should be for ever disabled to sue, or prosecute any action, bill, plaint, or information, in law or equity; to be guardian, administrator, or executor to any person, or to be capable of enjoying any legacy, deed, or gift, and besides should forfeit all their estates both real and personal during their lives. Thus, the framers of this law were not contented that a measured punishment should be dealt against the offender; but he was deprived of the protection of the law; he could never even after having paid the penalty of an entire forfeiture

of his property, again reinstate himself as a member of society. His debtor could not be compelled to pay him. He could not recover by laws the fruits of his labour, forcibly seized from him by ruffians. He must be content to live beyond the pale of society, providing for himself like one of the beasts of the field, having no ties which bound him to mankind, or mankind to him. To what would the nature of such a man be likely to turn?

This was the commencement of a system of legislation, new to an age professing civilization. It tended to besavage the country, by making men solitary human beings thrown back on their own unbridled wills. It introduced and fostered in the midst of civilization, those habits of wild justice of "every man for himself," which moralists of the present day, wishing to depreciate the Irish character, sagely pronounce to be a national propensity of the Irish people.

At this most eventful period, we find "the sufferings of the Protestants," which have just now come to their climax, commencing. The powers of the Irish Parliament did not enable it to make four-fifths of the kingdom starve at once. Still the poor Catholic, crawling through the world, would try some humble, unobserved, and perhaps some degraded means of procuring bread, and the Protestant could complain that his monopoly of supporting existence was invaded. We find the Irish Protestant Commons taking the following lamentable grievance into consideration, viz. "A petition of one Edward Sprag and others, in behalf of themselves and other Protestant porters, in and about the city of Dublin, complaining that one Darby Ryan, a papist, employed porters of his own persuasion, having been received and read, it was ordered to be referred to the examination and consideration of the committee of *grievances*, and that they should report their opinions thereon to the House." Some years later, a well, called St. John's well, in the county of Meath, to which, infirm Catholic devotees resorted in the hope of being cured, provoked the anger and serious alarm of the Commons, who voted that the poor wretches "were assembled in that place to the great

hazard and danger of the public peace, and safety of the kingdom, and fines, imprisonment, and whipping were enacted to prevent such dangerous and tumultuous assemblies."

A prospect of deeper shadow opened to the Roman Catholics on the death of William III, who in comparison with the other statesmen of the age, might also be called their friend. The most charitable term by which to designate the high church feeling introduced by Anne, is that of insanity. Between corruption and mania, the English House of Commons was stocked with those bigots, which passed a bill to prevent occasional conformity in England, in other words to prohibit all persons holding any kind of office, from ever entering the door of any but a place of worship, belonging to the establishment. These persecutors of the anti-jacobite Protestant dissenters must needs likewise raise their hand against the jacobite Roman Catholics, and that at a time when the leading men amongst themselves were in correspondence with the exiled family, and ready, if it would aggrandize them, to throw themselves into the arms of a popish king. Indeed one of the principal persecutors of the Irish Catholics, the Duke of Ormond afterwards joined the Pretender; so unprincipled and selfish are sometimes the sources of religious intolerance, which is too often excused on the ground of misled zeal.

By such men was procured the law boldly and applicably styled "An act to prevent the further growth of popery." Again was the system of disorganizing society had recourse to; the dearest ties of nature, and social intercourse were burst asunder, and the just protection of the laws denied. It entitled any heir of a Roman Catholic, who should declare himself to be a Protestant, to acquire the property of the estate, the rightful owner only having the use of it during his life, and being unable to sell it, or otherwise dispose of it, even if it were of his own making. Thus did the law bribe the disobedient son to desert his religion, by allowing him, when he did so, to pillage his father. How many instances would the private annals produce, in which the sanction of the laws suggested depravity, which might have otherwise slumbered un

roused! Where no heir calling himself a Protestant interfered, the property of the father was to be equally divided amongst all his sons, or if he had none, amongst his daughters. A law making such a division would have been just and equitable had it not been compulsory; the parent had no power to alter the division. Papists were made incapable of succeeding to Protestants, and lands passing them by, were to go to the next Protestant heirs. The popish father was prohibited under a penalty of £500 from educating or standing guardian to his own children, who were given over to the nearest protestant relation, or to guardians appointed by the court of Chancery. No papist was to presume to enter the towns of Limerick and Galway, under pain of having his whole property forfeited and being imprisoned for a year. No Protestant possessing property was to marry a Papist under severe penalties. Finally, Roman Catholics were made incapable of purchasing landed property, or of enjoying long leases. Their connection with the land was limited to the tilling of it. They were to be the agrarian vassals of the Protestant; nothing more. Such was the manner in which the treaty of Limerick was kept.

It does appear that a feeling of shame at this time overcame the Irish Parliament. Before the act was introduced, several members resigned their seats in the House of Commons, and desertions became so frequent, that they were formally checked. The small remainder of Catholic power in the country was roused to a dying struggle, and some men of powerful oratory and never-to-be-forgotten courage, were sent to plead for the preservation of the treaty of Limerick and of the honour of the Parliament. The answer they received, showed the perfect deadness of the remaining members to any thing resembling honest shame. The petitioners were told, that if they were to be deprived of the benefit of the articles of Limerick, it would be their own faults, since by conforming to the established religion they would be entitled to these and many other benefits; that therefore they ought not to blame any but themselves; that the passing of that bill into a law was need-

ful for the security of the kingdom at that juncture, and in short there was nothing in the articles of Limerick, that should hinder them to pass it. And how had they come to this conclusion? They argued thus; the treaty of Limerick provided that the Catholics should remain in the same situation as they were in during the reign of Charles II. But during that reign, the legislature was not prohibited from enacting laws against them, if it chose to do so, and therefore was not prevented now. Such was the passing "of the good law" "the excellent law," for which the Protestants thanked "her majesty's unparalleled goodness, and his grace's sincere and happy endeavours,"

The work was now almost accomplished. The persecutor had no more plans to devise. The sum of his ingenuity was nearly exhausted. There was one more step which might have been taken. The Papists might have been put to the sword, but this would have been both laborious and dangerous; it was better that the Irish should learn to destroy each other. What chiefly remained to be done was, sedulously to put the principles established in practice. Accordingly all the baser and blacker passions were nourished. The son was taught to betray his father, and the bosom friend was encouraged to become the spy. The House of Commons had to teach a new code of morality, and voted the profession of an informer to be "an honourable office." All excuses were adopted to renew the rigour of the laws, and a ready one was found in such a circumstance as the rebellion in Scotland in 1715. The magistrates were then reminded by the House of Commons, that it was their indispensable duty to put the laws in immediate execution against Popish priests, and that such of them as neglected to do so, should be looked on as enemies of the constitution. Many years afterwards similar resolutions were passed and acts were passed "for explaining and amending those previously passed, that their glory might not be forgotten. On one of these occasions, an enactment passed against the Romish priests of a nature, over which the proprieties of mo-

dern language draw a veil, but was too horrible to receive the sanction of the English government. Two more distinguished acts remain to fill up the dark catalogue. In 1726, it was enacted that any popish priest who should marry a Roman Catholic to a Protestant should be guilty of felony and suffer death, and in 1728, it was enacted that no person should be capable of practising as an attorney, who had not been for two years a Protestant, and who should take the oaths.

These things did their work. The great body of Roman Catholics seemed for a time inert and dead. There was no presiding spirit capable of filling it with life; there was no O'Connell, whose genius and courage were devoted to struggle with an arrogant government, in the redressing of those grievances, which paralyzed all the energies of six-eights of the Irish people. It must, however, be allowed that to Dean Swift, with all his versatility and political vices, we almost owe the only attempts to revive patriotic feeling; but his attempts were partial, and did not strike boldly at the great evil. It is almost gratifying to reflect that the next step was to cast off the vile tools, who had done the work, the Irish Protestants. When they had accomplished the ends for which they were employed, their services were dispensed with. English ascendency succeeded that of the Irish Protestants; the country was brought into deeper subjection, and the British legislature, as if such a formality were necessary, passed an act, declaring the supreme authority of Great Britain over Ireland. Mr. Wyse in his History of the Catholic Association, thus describes the state of the country.

"George II. ascended the throne, and the Catholics for a moment indulged the hope of a relaxation. But their very congratulations were contemptuously consigned to oblivion; they were almost forgotten in the nation; they were voted by both Houses scarcely to exist. Their last remaining privilege was surreptitiously wrested from them. The Catholic freeholder was disfranchised before the Catholic could be apprised that such a bill was even before the House. The very converts from Catholicism, who did not attest the sincerity of the change by an ultra zeal

in profession and persecution, were like the drummer at the triangle, subjected often to penalties little less than those, which they were expected to inflict upon others. Charter schools were founded by the pious and cruel Boulter, "out of concern for the *salvation* of those poor creatures, who are our fellow subjects, and to try all possible means to bring them and theirs over to a knowledge of the true religion." Bills for registering the popish clergy, or annulling all marriages, &c. between Catholics and Protestants, &c. &c. were passed, yet was not Ireland bettered, but the malady grew more chronic and desperate. Cure was considered impossible, a whole nation was deemed irreclaimable, the desolating famine of 1740, one of the most terrible in the memory of man, carrying off 400,000 persons, the fifth or sixth within twenty years, was another blessing of this exclusive legislation. Drains to absentees, the old restrictions on the woollen trade, embargoes on provisions, total want of specie enhanced the distress, nor was the persecution of man corrected by the awful visitations of Providence. The first symptoms of returning plenty were only stimulants to new excess. The proclamation for the suppressing of monastic institutions in 1744 was the sequel. A general disarming of the Catholics took place; the sanctity of domestic retreat was violated in search of priests; chapels were closed, public service and private devotion were suspended; terror reigned on all sides; and a persecution unequalled by any of the preceding, spread to the most remote parts of the kingdom. The Scotch rebellion of 1745, still further increased the alarm and cruelty of the ascendency. Trampled as the Catholic was to the very earth, shorn of every element of power, deprived of even the hope or the yearning after self-redress, the natural apprehensions arising out of a guilty conscience, attributed to him intentions, which were never verified by deeds and he saw in the just sense of the injuries, which had been inflicted, the probability of a merited and universal retaliation. Measures of extreme rigour were adopted; measures of extreme atrocity were proposed. A massacre similar to that of 1641, is said to have been agitated in the privy council. Let

us hope for the honour of our common christianity that such things, even in Ireland, are impossible.

Such is a scanty view of the different laws made against the Irish Catholics, the detail is one of instruction and interest, not of amusement; it must also be considered that the substance of an act of Parliament, given in a few words, tells a more correct tale than volumes of fine writing, and the subject is one of those, of which no one ought to judge without accurate information; it is from a want of a becoming attention to that principle, that we find so few people well instructed on the great and important merits of the Catholic question, and thus are apt to view it through a distorted medium, until the mind becomes so fettered by prejudice, that that which was originally a mere matter of opinion, degenerates into personalities, and eventually becomes the source of the most bitter strife and rancour.

Living indeed in this age of freedom and mental illumination, the whole series of oppression seems so unnatural and barbarous, that we require peculiar clear evidence, before we can cease to doubt its reality. Were one, instead of setting down these broad and undoubted details to make a minute investigation into the secret working of these laws, there is no doubt that he could produce multitudes of those cases of oppression and hardship, which are much more apt to rouse the compassion or indignation of the reader, than the dry details of the law, and the stories of the suffering remnant of the ancient faith in Europe, might be made as full of romantic interest, as those of the Covenanters, or the Waldenses of the Alps, but we do not need to apply to such resources. The legislature has recorded the evidence of its own enormities in clear and indisputable language, and we will be able the more accurately to estimate their merits, that they do not come to us magnified by the graces of rhetoric.

To one brought up in a Protestant country, with all the prejudices of a protestant, and daily reminded of the sanguinary persecutions of the church of Rome which at one time disfigured the fairest portion of Europe, the list of statute laws,

if it has been perused by him for the first time, will suggest a question which may not have occurred before. Is the church of Rome, the *only* church which stands stained with those sanguinary persecutions? A fair consideration of the subject, will shew the vanity of those accusations which churches make against each other, at the same time that it will lead to the exculpation of Mr. O'Connell for many of those acts, which his enemies have alleged against him. In fact it is scarcely possible to understand the leading motives of his actions, without being thoroughly instructed in the history of those events, which particularly belong to the records of his country, and out of which has grown that colossal power, which he has partly acquired from his own extraordinary genius and courage, and partly delegated to him by the people of whom he is the representative.

Of most of the ordinary sects of Christians in Europe, no one is more inclined, from its nature to persecution, than another. Give to almost any one of them the power and the temptation, and it will persecute. It was the power and the temptation to persecute, that produced the Protestant martyrs of Smithfield and St Andrew's. The same power and temptation produced the penal laws against the Irish. The country was at the mercy of England, and England was Protestant. Were we, indeed, to judge of the religious merits of the two churches by their conduct to each other, it is to be feared that the Protestant would be found the less justifiable of the two. The persecutions of the Romish church were perpetrated in a barbarous age, before the very birth of the philosophy of free legislatures, and in the centre of general despotism; but Ireland was persecuted in the days of Locke, and Somers, and Addison, when the free constitution of Britain was full blown and when it was boasted that the meanest hind in England was as much under the protection of the laws as the subject nearest to the throne.

When one is simply informed of the hardship to which the Roman Catholics of Ireland were subjected, it would naturally occur to him, as a consequence, that the body would, in a short

time, become extinct. He would recollect how often self-interest gently leads aside from the path of religion, and how few are the prejudices that resist it. But there is a stubbornness in the public mind, to which the habits of individuals, in their intercourse with each other, bear no analogy. A religious creed never yet was put down by force. The gibbet, the boot, and the bayonet could not do it in Scotland; but England must have another lesson; and she found that insult, coercion, and pillage, could not do it in Ireland. "I have conversed," says a traveller in Ireland, of the period, "on the subject, with some of the most distinguished characters in the kingdom; and I cannot, after all, but declare that the scope, purport, and aim of the laws of discovery, as executed, are not against the Catholic religion, which increases under them, but against the industry and property of whoever professes that religion. In vain has it been said, that consequence and power follow property, and that the attack is made in order to wound the doctrine through its property. If such was the intention, I reply, that seventy years' experience proves the folly and futility of it. Those laws have crushed all the industry and wrested most of the property from the Catholics; but the religion triumphs; it is thought to increase. Those who handed about calculations to prove a decrease, admit, on the face of them, that it will require FOUR THOUSAND YEARS to make converts of the whole, supposing that work to go on in future as it has in the past time!"

The natural process by which the Roman Catholics still retained the means of existence, and even, in many instances, secured wealth, is curious, and teaches a valuable lesson to unjust legislators. The Protestant had, at first, the satisfaction of seeing his exertions successful. The Roman Catholic farmer and merchant sunk into the dust before him, and the field was laid open to himself. The estates of the Roman Catholic gentry crumbled gradually under the pressure of the penal laws, and had all the appearance of coming, by degrees, into the hands of the Protestants. But in what was he profited by possessing a portion of the bare earth in a land of beggars? If

he possessed a landed estate, which he was anxious to dispose of, was it an advantage to him that his neighbour, a Roman Catholic, dare not buy it? If he wanted to improve his property by long leases, was it any comfort to find that only a very small number of the inhabitants could take such leases? If he wanted to secure money on property, and found a Roman Catholic landed proprietor ready to borrow it, was it gratifying to his pride to discover that the heir, by turning Protestant, might render the security void? In short, in the intercourse between man and man, did the Protestant find his affluence increased by his neighbour being unfitted to make bargains with him? No. Therefore, the Protestant individual, practically exposing the folly of the Protestant legislature, was obliged sometimes to join in evading the laws, for his own interest. He must have some one to buy from and sell to, or he must starve. His transactions with the Roman Catholic were done at great risk, and therefore were not so profitable, as if both had been free; but there was an imperious necessity, and all must be encountered. The nation thus became full of secret contracts—a sort of nation of smugglers. The Protestants still, in a body, thought the penal laws necessary; but they were compelled individually to evade them, for their own sakes. The Protestants, at first, believed that, as they had prevented wealth from flowing in the direction of the Catholics, it would come all their own way; but they found themselves mistaken. Before wealth came to them, it must exist, and it could only come into existence by the industry and commerce of the population. Had they continued to keep four-fifths of the population beyond the pale of the laws, barely existing, and without the means or the inducement to better their condition, the Protestants would have found that there would soon be very little property in the country, either for themselves or other people. The goverment, too, was obliged to see the same truth in detail, though it could not see it in a general view. The penal laws were not put in constant operation. They were suspended over the heads of the victims, in terror, or were used on particular occasions. Indeed they constituted

too heavy a weapon to be kept continually in motion by any government. The British government could not afford to keep so vast a system of oppression in active operation. Moreover if Catholic property had been entirely suppressed, the revenue from Ireland would have been small. But the cruel ingenuity which devised these laws, made most of them self-acting. They enabled the Irish to prey upon each other without the interference of the government. Still the father was subject to the perfidy of his son, the property of the Papist was unsafe, the priest depended on the honesty and good feelings of his neighbours or the mercy of the Protestant Justice, and marriage could not be contracted with the certainty of its being permanent.

Having now acomplished a dreary and revolting detail, a more pleasing prospect opens on our view, in the endeavours of those bold and upright men, whose great efforts gradually relieved their country of portions of this heavy load. The Roman Catholics, when they had acquired courage meekly to tell their grievances, thus described their state:—

"We are deeply sensible of your majesty's clemency, in moderating the rigorous execution of some of the laws against us, but we humbly beg leave to represent that several, and those the most severe and distressing of these laws, execute themselves with the most fatal certainty, and that your majesty's clemency cannot, in the smallest degree, interpose for their mitigation; otherwise, your Roman Catholic subjects would most cheerfully acquiesce in that resource, and rest with an absolute and unbounded assurance on your majesty's princely generosity, and your pious regard to the rights of private conscience.

"We are, may it please your majesty, a numerous and very industrious part of your majesty's subjects; and yet, by no industry, by no honest endeavours on our part, is it in our power to acquire, or to hold, almost any secure or permanent property whatsoever. We are not only disqualified to purchase, but are disabled from occupying any land, even in farm, except

on a tenure extremely scanted, both in profit and in time; and if we should venture to expend anything on the melioration of land thus held, by building, by enclosure, by draining, or by any other species of improvement so very necessary in this country, so far would our services be from bettering our fortunes, that these are precisely the very circumstances which, as the law now stands, must necessarily disqualify us from continuing those farms, for any time, in our possession.

" Whilst the endeavours of our industry are thus discouraged, (no less, we humbly apprehend, to the detriment of the national prosperity, and the diminution of your majesty's revenue, than to our particular ruin,) there are a set of men, who, instead of occupying any honest situation in the commonwealth make it their employment to pry into our miserable property to drag us into the courts, and to compel us to confess on our oaths, and under the penalties of perjury, whether we have, in any instance, acquired a property in the smallest degree, exceeding what the rigour of the law has admitted; and, in such case, the informers, without any other merit than that of their discovery, are invested—to the daily ruin of several innocent, industrious families—not only with the surplus in which the law is exceeded, but in the whole body of the estate and interest so discovered; and it is our grief that this evil is likely to continue and increase, as informers have, in this country, almost worn off the infamy which, in all ages, and in all other countries, has attended their character, and have grown into some repute, by the frequency and success of their practices.

" And this, most gracious sovereign, though extremely grievous, is far from being the only or most oppressive particular in which our distress is connected with the breach of the rules of honour and morality. By the laws now in force in this kingdom, a son, however undutiful or profligate, shall, merely by the merit of conforming to the established religion, not only deprive the Roman Catholic father of that free and full possession of his estate, that power to mortgage or otherwise dispose of it, as the exigencies of his affairs may require, but shall

himself have full liberty immediately to mortgage, or otherwise alienate the reversion of that estate from his family for ever—a regulation by which a father, contrary to the order of nature, is put under the power of his son, and through which an early dissoluteness is not only suffered, but encouraged, by giving a pernicious privilege, the frequent use of which has broken the hearts of many deserving parents, and entailed poverty and despair on some of the most ancient and opulent families in this kingdom.

"Even when the parent has the good fortune to escape this calamity in his life-time, yet he has, at his death, the melancholy and almost certain prospect of leaving neither peace nor fortune to his children; for, by that law which bestows the whole fortune on the first conformist, or, in non-conformity, disperses it among the children, incurable jealousies and animosities have arisen; a total extinction of principal and of natural benevolence has ensued; whilst we are obliged to consider our own offspring, and the brothers of our own blood, as our most dangerous enemies. The blessing of Providence on our families, in a numerous issue, is converted into the most certain means of their ruin and depravation. We are, most gracious sovereign, neither permitted to enjoy the few broken remains of patrimonial inheritance, nor, by our industry, to acquire any secure establishment to our families."—(*Curry's Civil Wars of Ireland*, ii. 287.)

This is a picture of the state of the Roman Catholic population in their better condition, when the laws against them were less strenuously enforced, because they were found to cut both ways. The tone of the remonstrance is not less sad than the matter. It shews how gently and subduedly the Roman Catholic lifted his head after his long subjection. It was given in the still small voice of supplication—a voice always drowned in the confusion of party and cabal, and which the British legislature never hears. The petitioners "earnestly besought his majesty that it might not be considered as an instance of presumption or discontent that they thus adventured to lay open to his majesty's mercy a very small part of their uncom-

mon sufferings." They continued—"What we have concealed under a respectful silence would form a far longer, and full as melancholy a recital. We speak with reluctance, though we feel with anguish; we *respect, from the bottom of our hearts,* that legislation under *which we suffer;* but we humbly conceive it is impossible to procure redress without complaint, or to make a complaint that, by some construction, may not appear to convey blame; *and nothing, we assure your majesty, should have extorted from us even those complaints, but the strong, necessity we find ourselves under of employing every lawful, humble endeavour,* lest the whole purpose of our lives and labours should prove only the means of confirming to ourselves, and entailing on our posterity, inevitable beggary, and the most abject servitude; a servitude the more intolerable, as it is suffered amidst that liberty, that peace, and that security, which, under your majesty's benign influence, are spread all around us, and which we alone, of all your majesty's subjects are rendered incapable of partaking." It is painful to find high-minded, upright men—men, too, representing the feelings of a vast mass of human beings—so far sunk in humiliation and self-abasement. By such means they might obtain the repeal of those laws which were offensive to the Protestant—they would get, and they did get, nothing purely on their own account. They afterwards learned some political philosophy, and altered their tone of supplication. They found that they had to do with men who only obeyed the voice of fear, and gave to those who were able and prepared to take.

The state of society, indeed, produced in Ireland by the existence of these laws on the one hand, and their not being enforced on the other, was, towards the middle of last century, a very singular one, and gave many peculiarities to the first faint struggles of the Catholics. The Roman Catholic nobility, proud of their old blood and high descent—many of them sprung from the ancient kings of Ireland—were deeply incensed by the insults heaped on them. They felt that their innate superiority to the Protestant upstarts was not only denied, but that they were subject to a degrading inferiority. The

ordinary Catholics were oppressed; but *they* felt the greater evil of being degraded. They were reduced, too, to a situation utterly powerless. Could they have headed their vassals and restored the Stuarts, they, no doubt, would have done so; but the Government took care to deprive them of any power as leaders. Their only method of throwing off the yoke was by making common cause with the people, and fighting in their ranks. This their pride would never permit them to submit to; and the penal laws, which degraded them and set them apart from their brethren of the aristocracy, only made them retreat more sullenly within their own circles of exclusiveness, and drove them farther than ever from any sympathy with their fellow sufferers. Ireland had to look in a different direction for champions.

A race of Catholic merchants had sprung up from the very ashes of Roman Catholic property. The Protestant commoner, imagining the legislature existed and framed its laws for himself alone—presuming that he was its peculiar care, and that it would feed him with the bread of Roman catholic industry—grew insolent and idle. An aristocracy of religion was attempted to be formed—the Protestant to be the gentleman, the Roman Catholic, the labourer. But no laws, unless they had been enforced by a host of magistrates nearly equal to half the inhabitants of the country, could support a division so unnatural. Still, when the Protestant was indolent, proud, and lavish, he was reduced to beggary, from which he could not redeem himself by the plunder of the Catholic; and still, the Catholic, if industrious and talented, might secure some portion of his hardly acquired wealth from the grasp of the law. But the laws brought out another peculiarity in the character of the Catholic. As the law did not protect his property, he required to protect it by his wits. He required to make his bargains enforce themselves. He was obliged, also, as his transactions were insecure, to take such profits as would, in the average, make up for his losses; and the needy, idle Protestant, often found it necessary to allow them. The Catholics thus acquired a character of being avaricious and grasping. Many

of them grew rich; and a body of merchants came into existence who were not much less powerful than the aristocracy, and were more likely to make common cause with the people.

Thus existed a body, which required only to be put in motion, and attached to the people, to procure the emancipation of Ireland. The latter was an achievment for a much later period. The united effect of the popular voice was then unknown as an instrument in political warfare; and much was thought to be achieved, when the respectable merchants and a few landholders were united by a common bond and taught a common purpose. Their organization was due to a small knot of literary men, headed by Mr. O'Connor, Dr. Curry, and Mr. Wyse. These were the first, after a long period of silence, who ventured to tell the sufferings of the Roman Catholics; and to maintain their claims. The namesake and descendant of the last mentioned gentleman, has thus interestingly narrated one of the trifling incidents which assisted in urging them to exertion:—

"The pulpit had caught the contagion from the legislature; and calumnies unchecked and unanswered, against the living, and the dead, were poured out weekly upon the victims of national hatred. Every insult and contumely was added to sharpen the lagging and blunted vengeance of the law. It was on one of these occasions, on the 23rd of October 1746, that a young girl, passing from one of these sermons through the Castle-yard of Dublin, lifted up her hands in astonishment and horror, and exclaimed—'And are there any of these bloody Papists now in Dublin? The incident excited the laughter of the bystanders; but there was one in the crowd on whose ear it fell with a far different meaning—Dr. Curry was standing near. The sermon was purchased and read: it overflowed with invective and with slanders. Catholicity was misrepresented, and with every additional circumstance of malignity which existing prejudice and historical falsehood could combine. From that day forth he dedicated the whole weight and energies of his mind to an immortal cause. He had yet no other combatant by his side, nor the hopes of a

combatant to sustain him; he stood alone in the field, and bore upon his single shield the entire burden of the conflict."

The task undertaken by Dr. Curry was of a nature which does not often suggest itself to men engaged in political controversies; but it was not less serviceable. It was this:— He saw that the persecutors of his religion supported their acts on the general prejudices which the Protestants entertained against the Roman Catholics, as a sect whose creed taught them to be bad citizens. He saw that this prejudice was supported by the practice of carefully recording and magnifying all the evil that Roman Catholics had ever done, and carefully suppressing all the good. He was resolved that the world should know the truth—that, as the followers of his own religion had not been, in all ages, immeasurably wicked, or their opponents purely virtuous, it should no longer be maintained that history said so, and that no one could come forward with any just claims of sympathy for the Roman Catholics. With this view, he wrote his "Historical and Critical Review of the Civil Wars in Ireland, from the reign of Queen Elizabeth to the settlement of King William," a work of profound research, which has added much to our historical information, and is the more valuable, as following a track which no one before had dared to tread. It was commenced at a time when no other arena was open, in which an Irishman could struggle for his rights; but it cleared away for future exertions, by removing the calumnies of the enemy.

Allied with Dr. Curry in his work of enlightening the world on subjects connected with Irish history, was the equally venerated Mr. O'Connor of Ballengar—a man whose reputation is classical from his antiquarian labours. Dr. Curry was a physician in good practice; for the Protestants could not preserve the monopoly of science. The other, though the head of a family, but a short time before owning vast domains, was born in a cottage, and lived during a long and useful life in respected obscurity. The third labourer, Mr. Wyse, a more ardent and active man, was felt as a more practically dangerous opponent, and met a harder fate. "His days," says Mr

Wyse, the younger, "were embittered and endangered by every ingenious application of the penal code which his enemies could devise; and, after successfully proving in his own person the inflictions of the gavel and of the disarming act, the ingenious malignity of the discoverer, the secret conspiracy of of the Protestant minister, the treacherous calumny of the informer, he sunk broken-hearted into the grave, leaving it as an injunction in his last will to his children, 'That they should, with all convenient speed, sell the remainder of their hereditary property, (a portion of which had already been disposed of for that purpose,) and seek out some other country, where they might worship God, like other men, in peace, and should not be persecuted for manfully observing, in the open day, the religion of their hearts, and the dictates of an honest conscience.'"

The country began to stir, and symptoms of reviving public spirit made their appearance in various quarters. Even the Parliament, which, after being so completely subjected to England, had lain worse than dead, began to show symptoms of returning animation. In 1753, there was a surplus of revenue, which the crown urged a right to appropriate to whatever purpose it pleased. In England, it had, ever since the revolution, been the practice for the House of Commons to appropriate the various items of supply to their proper purposes; but this right was denied to exist in Ireland. The crown officers fraudulently seized on the sum in question. But the very circumstance of the Parliament opposition, argued that some thought of constitutional rights—some feeling that the country ought not to remain subject to the arbitrary will of a conqueror—was appearing even among the Protestants. Three years afterwards, a new bill for the registry of priests was thrown out by a majority of two.

The Protestants began to perceive that they dared not make new instruments of persecution, however long they might let the old ones remain. In this juncture, the three eminent men just mentioned made an appeal to the Catholic aristocracy and priesthood, to unite with them in labouring to remove their

common sufferings. The former body, being in the state just described, rejected the proposal. The latter, secluded from public life, and from their earliest infancy brought up to patient suffering, scarcely dreamed of the possibility of a change in their lot, and felt that coming openly forward in defence of their own just rights, was an attempt almost unnatural. They preferred remaining passive sufferers, to throwing themselves in the way of farther prosecution. To appeal to the people might have been equally vain; no means had been taken to acquaint them with their rights or their power to assume them, and the science of showing them their strength was not known.

In these circumstances, application was made to the commercial body, whose rise has been above noticed; and chiefly by the merchants in Dublin and its neighbourhood, an *association* was formed for the management of Catholic concerns.—"The first collection of individual Catholics since the revolution, who dared to meet and consult on Catholic affairs." At the formation of this society, the Roman Catholics ventured, for the first time, to approach the throne; and the address of 1759 was signed by four hundred persons, and presented to the Lord Lieutenant through the Speaker of the House of Commons. The answer was for some time delayed, and the petitioners trembled for the step they had taken. They were, however, finally assured "that the zeal and attachment which the Catholics professed could never be more seasonably manifested than at this juncture; and that, as long as they conducted themselves with duty and affection, they could not fail to receive his majesty's protection." Even this was, to them, a source of new and unexpected hope. "These were the first words of encouragement given by the house of Hanover to its oppressed Irish subjects. They diffused universal joy. Addresses poured in from all sides; but so debased by the most servile adulation of the reigning powers, and by ungrateful vituperation of the French, to whom, from the treaty of Limerick up to that hour, they were indebted for every benefit—

the exile for his home, the scholar for his education; their ancient and decayed aristocracy for commissions in the army for their younger sons—that their freer descendants blush in reading the disgraceful record, and turn aside in disgust from the melancholy evidence of the corrupting and enduring influence of a long continued state of slavery." For what a heavy burden of natural evil have the authors of the penal laws to answer, beyond the direct effects of their enactments!

Although the feeling thus raised was not, perhaps, entirely in conformity with the wishes of the patriotic men who had accomplished this measure, yet they thought it right to seize the opportunity, and to make it produce better fruits. They matured a plan, by which delegates from the different parts of the country should meet as an association, representing the Roman Catholics of Ireland. This, however, was a plan then too ingenious and refined, for the knowledge which this great body possessed of their own power. The meetings were at first very limited in number; and, though they afterwards increased, they seem to have been far from fulfilling the designs of the projectors. On the accession of George III., another step was taken. "The address and humble petition of the Roman Catholics of Ireland," prepared during the previous reign, but for some time held back from a fear that it was conceived in too bold a tone, was signed by six hundred names, and presented to the king. In this document, the Catholics dared to claim something more than mercy, spoke of justice, and appealed to the terms of the treaty of Limerick. It detailed the grievances of the Roman Catholics, in terms similar to those of a later address, which has been quoted above, but in a somewhat bolder spirit. This document was the unfortunate origin of one of those divisions which, till later days, too often interrupted the effect of the best devised measures for the amelioration of the condition of the Catholics. The sufferings of the Catholic aristocracy had not taught them that amelioration could be best secured by the union of all the sufferers. On the other hand, it had made them, by completely separating

them from political struggles, more proudly exclusive. They looked with disdain on every effort which did not originate with themselves and acknowledge their own paramount claims to consideration.

In this spirit, headed by Lord Trimleston, they did not hesitate to make an open breach with the other members of the Association, and to present a separate address. The breach continued to widen, and to produce the most damping effects on the progress of the association. On the other hand, no measure had been adopted, or, perhaps, could probably then have been taken, to include the common people in the general movement. These, at the same time feeling the miseries of their situation, had recourse to their native and natural practice of wild justice; the Whiteboys made their first appearance; and the Association, afraid of being identified with their outrages, kept farther aloof. An invasion was at this time feared from France: and, indeed, the wreck of an expedition fitted out for that purpose had landed at Carrickfergus. It was the wish of the Roman Catholics that no excuse should be given for associating their endeavours with those of the national enemy. From these conflicting causes, the Association died in 1763. The efforts made, however, had, through the whole country, roused a feeling of inquiry and of hope, which did not die with the Association.

The effects were felt in Parliament, where a party, which might almost be called popular, came into existence; public measures were more boldly discussed, and, on some occasions, carried in favour of the Catholics. A constitutional measure was afterwards carried, limiting the duration of Parliaments. The Irish member was previously elected for life; and it was considered that a great boon was obtained for his constituents, when Parliaments were octennial, or sat for eight years. The Catholics ventured to appear in the courts of justice, and to show the iniquity of the laws, by not submitting voluntarily to their operation. The principle of a public fund was established — a principle to which Ireland owes much. The system was ramified to a considerable extent through the

country; and when the rights of a Catholic were debated in a court of law or in Parliament, his fellow-sufferers, in many instances, relieved him of the expense of obtaining justice, by a levy." But the unfortunate outrages still continued. The Whiteboys assembled at night, dressed in white shirts, turning up the ground, levelling enclosures, and destroying cattle.

These commotions were not produced by religious differences—they were the sheer effects of bodily suffering, consequent on the Protestant monopoly. It was felt by the Protestant peasant as well as the Catholic; and equally awkward means were taken to meet it. The Oakboys in Armagh rose against a law which compelled the peasantry to spend a considerable portion of their time in making the roads; and the Steelboys rose in Antrim, on the simple ground of being charged rent they could not pay. The two last, along with the Peep-o'-day boys, consisted chiefly of Protestants. Their proceedings began in time to assume a political aspect; and, though the Protestants had taken care at first to designate the whole by the term "Popish disturbances," they saw in those of their own friends a good political engine, of which they made fearful use. Society was again disorganized by them, though not by act of Parliament, and they had recourse to breaches of the laws to support their supremacy. The Protestant peasant, as miserable as the Catholic, through the instrumentality of the Protestant landlord, was taught that the Catholic was the person who had injured him, and on whom he should be revenged. The Protestants made a still bolder effort—that of connecting some of the leading Catholics with the acts of the Whiteboys, and the French invasion. For this purpose, they fixed on Nicholas Sheey, parish priest of Clogheen in Tipperary, and, after driving him from one jury to another, procured a verdict against him, and had him executed. There cannot be the slightest doubt that he was innocent, or that his adversaries suborned persons of the most infamous character to bear evidence against him.

Let us now return to the history of some ameliorations of the laws against the Catholics, which, though slight and par-

tial, were the first fruits of their exertions, and augured a successful harvest. In 1762, the heads of a bill passed the Irish Parliament, empowering Papists to lend money, and secure it on landed property; but its opponents contrived that it should be lost in England. In the following year, it was again brought forward by Mr. Mason, who supported it by the most effectual of all arguments—its utility to the Protestants as well as the Catholics yet still could hatred blind men to their self interest and the Protestants clamoured forth that this measure would put the Roman Catholics in possession of the land, and, therefore, that, of course, the protestants would be deprived of it. This principle ruled, and the measure was a second and third time rejected. The firmness, however, with which it was urged was a step gained; but it was not till the year 1772 that the first measure of actual relief was doled out to the Catholics, under the inviting name of "*An act to encourage the reclaiming of unprofitable bogs.*" The act stated that there were many bogs in the country which were not only totally unprofitable, but the very neighbourhood of which was unwholesome, and, therefore Roman Catholics might take long leases of them and bring them into cultivation. This was considered so enormous a concession, that it was necessary to balance it by an act for the encouragement of converts to the Protestant religion.

In the following year, the act to enable Catholics to lend money on securities was revived and passed along with a measure to enable them to take long improving leases. There was a disposition in the majority of the Irish Parliament to crush these measures; but the British government had got a new lesson in ruling. A voice from beyond the Atlantic had just thundered in their ears the power of a united people when roused by oppression; and, resolving to avoid a similar mistake to that which had just been committed, they insisted that some concession should be made to the Irish Catholics. A bill passed, enabling Catholics to testify their allegiance, according to the method of their own political creed. Their simple allegiance was now too important a matter to be mixed up with questions of form. Mr. Townshend declared, in the English

Parliament, " He should be glad to see some means adopted to grant such indulgences to the Roman Catholics of Ireland as might attach that great body of men to the present Government: their affections had been alienated—he wished to recall them by indulgent behaviour." This tone of speaking, from the British government was something totally new to the Roman Catholics but they must have smiled when they reflected that the newly-assumed obsequious politeness was produced by fear. Still, it was not till 1778 that an act was passed to repeal some of the penalties incurred under the old act, " to prevent the growth of Popery." By this measure, the Roman Catholics were permitted to take long leases, and leases for terms of lives. They could enjoy landed property, and transmit it to their heirs: and the son could no longer, by turning Protestant, seize on the estate of his father. The virulence of the Ascendency in Ireland was displayed to the last. They saw that, if it were once admitted that Papists were fit materials for the operation of justice—if Protestants once admitted the principle that anything should ever be granted in *their* favour —their just claims to equality would advance day by day. The bill was therefore contested in every stage, and every effort consistent with the constitution was made for " the suffering Protestant cause." The heads of the bill (which required, according to the forms in Ireland to be carried before the bill itself) passed by a majority of 9.

Meanwhile, in 1773, the leading Catholics had formed themselves a second time into a committee, speedily possessing far more power than the former, from the moral influence of the American revolution. They had before them the picture of a feebler and less united people, who were in the progress of freeing themselves from foreign bondage; and it came more strongly home to them, that, if driven by necessity, they might accomplish the same themselves. This body was on a broader basis than the former committee, professing to unite the aristocracy with the middle classes but it still wanted the people, and the exclusive spirit of the aristocracy poisoned all its endeavours. " The second committee," says Mr. Wyse, " had a

more general, but also a much more aristocratic character than the first. The amalgamation of the nobility and gentry with the merchants gave additional weight and lustre, in the Protestant eye, to their deliberations. Lord Kenmare was the ostensible leader of this body. He had few of those qualities which are necessary to sway or to enlighten a multitude. Affecting to control and to direct popular movements, no man seemed less acquainted with the moral machinery by which popular purposes are usually affected. He was cold, unconciliating, timid, yet fond of petty power, influenced by puny ambition, hanging between the Catholic and the Protestant, and sacrificing alternately, and generally unpropitiously, to the evil genii around the Castle on one side, and the chained spirit of his country on the other." But, notwithstanding these evil influences, an association embodying the opinions of any united portion of the Catholics could not exist without doing good. In 1782, Mr. Gardiner brought forward his measures to relieve the Roman Catholics of some of the most insulting of their disqualifications; and Mr. Grattan said "that, whatever indulgence was granted, he wished the House to do it handsomely, for the merits and sufferings of the Roman Catholics claimed it from them."

But a gigantic body had, at this time, formed itself, which, second in power only to the late Roman Catholic Association sunk the difference of creed in the general oppression of their country, and shewed a spirit and power which made the government tremble. The Volunteers—who had originally met to provide for defects in the military defence of Ireland—organized, and, with arms in their hands, as they increased in number, gradually approached a new object of endeavour—that of obtaining for Ireland an unequivocal legislative independence. At a meeting in Armagh, held on the 28th of December 1781, they passed those memorable resolutions, which told the legislature, in words not to be misunderstood, that they would no longer be subject to English influence and intrigue and were powerful enough to shake them off. On the 15th of February 1782, the Ulster Volunteers met in a similar spirit, and among other things, resolved—"That they held the right

of private judgment in matters of religion to be equally sacred in others as in themselves;" and "that, as men and as Irishmen, as Christians and as Protestants, they rejoiced in the relaxation of the penal laws against their Roman Catholic fellow-subjects; and that they conceived the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland."

The final triumph of the Volunteers in procuring the repeal of Poyning's law (noticed above,) and making the Irish legislature independent of the English, infused a new feeling of freedom through the whole land. Irishmen felt they had a country to struggle for. It was worth their while urging more strongly the repeal of obnoxious laws, and framing good ones; such improvements would become in a manner their own doing, and be no longer dictated by the government of another country Still there was a grand defect in the system pursued. The liberal Protestants saw and regretted the persecutions of the Catholics, and wished to relieve them; but they did not unite with them. They did not take their political influence into the same scale with their own—a measure which would have made them perpetually preponderate against corruption. Hence many of the independent party were soon bound again to government by the chains of corruption—others were driven to rebellion. The resolution of the Volunteers, meanwhile, enabled Mr. Gardiner to conduct his measure through the House with the more firmness. In its discussion, was, for the first time, exhibited the strange picture of a few Protestants urging "the complete emancipation of the Catholics." Some of their best friends, however, felt it unsafe to shock the nerves of the Ascendency, and moderated their demands. The measure, when carried, abolished many small but sharp grievances. It removed several penalties from the clergy. Roman Catholics might be guardians to their children, and safely teach them their religion. The fine and imprisonment which any magistrate might inflict against a Papist, refusing to tell when and where he last heard mass, who celebrated it, &c., were abolished. A Papist was allowed to possess a horse of the value

of £5, and admitted to many other equally valuable privileges. The bill, however, which permitted marriages between Protestant and Catholic was thrown out.

Before the year 1793, the Catholic Committee had more completely consolidated its powers; the principle of representation was more generally acted on; and care was taken that if the aristocracy held aloof, they should not do much mischief. "The elections of 1792," says the writer already quoted, "which reconstructed, on an improved basis, the Committee of 1760, sent in anew a large infusion from the countries, of the landed influence of the body. Several of the gentry were chosen, and attended with sufficient alacrity the first meetings. But the Catholic peerage and baronetage were still absent. They were still wounded by the encroachments of the middle classes; and attributing to sinister views, and ignorant impatience of their wrongs, the more ardent efforts of their countrymen, at last retired, with few and casual exceptions, from all participation in 'the vulgar violence,' and sat down at a distance, in stately indifference, at every attempt which was made for their delivery. The general committee held their meetings with great regularity and order, and adopted a series of measures well calculated to bring into general action the dormant energies of the community. There is certainly a marked evidence of the accumulation of intellectual wealth, in the variety and accuracy of the views, and of firm thought and independent habits, in the numerous and conflicting parties by which they were supported." The head and practical leader of the party at that period, was John Keogh. The same author, who was probably personally acquainted with him, thus describes him: "John Keogh rose out of the mercantile body, was created by its necessities, adopted its wishes, directed its will, and ruled it, and through it, the entire Catholic community, with very nearly undivided sway, until the period of his death. He was roughly hewn, both in mind and body—endued by nature with the coarser, rather than the nicer faculties of the statesman—his education solid, rather than elegant, and more to be esteemed

for the ready weapons which it furnished from its armoury for practical and every day purposes, than for any stores of rich classic lore which it presented, or the exuberance of that Irish imagination, which is so much the theme of self-complacent panegyric amongst all classes of his countrymen."

In 1791, twelve Catholic citizens had obtained an audience of the Irish Secretary, and represented the justice and necessity of removing the still numerous grievances of their body; but in vain. It was resolved to petition the Parliament; but "four millions of subjects could not get one member of Parliament even to present their petition to the House. The select committee of the Roman Catholics was called together by Keogh; who maintained the propriety of delegating one of their number to represent their grievances to the government. No one but himself would undertake the task. The time was more favourable than, perhaps, either he or his friends had presumed. A second warning voice had come from abroad to the ears of the British ministers, in the commencement of the French revolution: and they saw, still more awfully than in 1776, the danger of rousing masses of men by resisting just demands. In January 1792, the privileges of Catholic education were made more free, the profession of the law was opened to Catholics, and they were permitted to intermarry with Protestants. But these were paltry and insufficient concessions. The Catholic Convention was roused to a conviction that the opportunity offered for redress, in the fears of the government was not to be lost. It issued publications explaining to the world the tenets of the Catholic religion, and shewing how little the state had to fear from it; and, at the same time, displayed to mankind a list of the oppressive laws by which they had been weighed down. "Behold us before you," said the Catholics—"three millions of the people of Ireland, subjects of the same King, inhabitants of the same land, bound together by the same social contract, good and loyal subjects to his majesty, his crown and government—yet doomed to one unqualified incapacity—to a universal civil proscription. We are excluded from the

state—we are excluded from the revenues—we are excluded from every distinction, every privilege, every office, every emolument, every civil trust, every corporate right. We are excluded from the navy, from the army, from the magistracy, from the professions. We are excluded from the palladium of life, liberty, and property—the juries and inquests of our country. From what are we not excluded? We are excluded from the constitution. We most humbly and earnestly supplicate and implore Parliament to call this law of universal exclusion to a severe account; and now, at last, to demand of it upon what principle it stands, of equity, of morality, of justice, or of policy. We demand the severest scrutiny into our principles, our actions, our words, and our thoughts. Where is that people, who, like us, can offer the testimony of a hundred years' patient submission to a code of laws, of which no man living is now an advocate, without sedition, without murmur, without complaint? Our loyalty has undergone a century of severe persecution for the sake of our religion, and we have come out of the ordeal with our religion and with our loyalty, Why, then are we still left under the ban of our country? We differ, it is true, from the national church in some points of doctrinal faith. For this we offer no apology. We do not exercise an abject or obscure superstition. If we err, our errors have been, and still are, sanctioned by the example of many flourishing, learned, and civilized nations." That mysterious and dreaded body, the "United Irishmen," had now been in existence since 1791. The great measures of reform which it called for, embraced the demands of the Catholics; and the government could not tell in how far the two bodies were united. Surrounded by so many dangers, it was found necessary to prepare for concessions, on which the government had, a short time before, looked as absurd. Ministers would have said, that it was dangerous to the peace of the country to grant them; and yet, when the matter came to practice, it was found that when that peace really was in danger, the best chance for preserving it was in granting them. Accordingly, the celebrated Catholic Relief Bill of 1793 was passed.

But the Government, when it brought forward this measure, could not convey its terrors with sufficient effect to those who were interested in opposing the Catholics; and it is a curious fact that the Administration which urged the sedition trials of that period, could not pass so liberal a measure of Catholic emancipation as it wished. The Ascendency had all the illiberality of the administration in England, but was not awake to the same fears. "The inveteracy of some," says Mr. Plowden, "was not to be overcome even in the agonies of their despair. Whatever could be saved to them from this wreck of their monopoly, they secured by exceptions from the broad and liberal relief, which the first form of the bill held out." The extent of the measure, as finally passed, is thus briefly and clearly expressed by Mr. Belsham:—"The chief enacting clause, enabling the Catholics to exercise and enjoy all civil and military offices and places of trust or profit under the Crown, was almost paralysed by the subsequent restrictions—that it should not be construed to extend to enable any Roman Catholic to sit or vote in any House of Parliament, or to fill the office of Lord Lieutenant, or Lord Chancellor, or Judge in either of the three Courts of Record or Admiralty, or Keeper of the Privy-Seal, Secretary of State, Lieutenant or *Custos Rotolorum* of Counties, or Privy-Counsellor, or Master in Chancery, or a General on the Staff, or Sheriff or Sub-Sheriff of any county, with a long catalogue of other disqualifications."

The Catholics had now the right to send members to Parliament; but they could not choose representatives. The one right was destined in the end, after herculean endeavours, to enable them to procure the other; but they could not but feel that nothing was given which could be denied, and that they were still left, in a great measure, to their own exertions. It is hard to say whether more liberal concessions would have prevented the confusion which followed. At all events, the dragon's teeth had been sown long before, and the fruit was appearing in armed men. All that the legislature could then do, was to deprecate their wrath. To allow them to vote for members of Parliament, without allowing them a

choice, was adding to their power, and shewing them a prospect of what they were entitled to, while an insulting and offensive restriction was placed in their path. It is true, the means were put into their hands, by which they afterwards acquired a more complete emancipation—the means by which they are still struggling to make themselves equal with the Protestants; but the legislature might have acted more wisely, had it removed at once all that reminded them of their inferiority, or called on them for further struggles. The Government itself shewed its consciousness of this, by act of Parliament. It attempted to prevent the Roman Catholics from issuing their complaints, by an act "To prevent the election or appointment of assemblies purporting to represent the people, or any description or number of the people, under pretence of preparing or presenting petitions, &c., to the King, or either House of Parliament, for alteration of matters established by law, or redress of alleged grievances in Church or State." It was surely a vain task to prevent the Roman Catholics—now powerful—from struggling for the rights still denied them, when the most abject subjection had been found ineffectual to deprive them of all the means of exertion.

It does appear that the Government, after the passing of the relief bill, had a partial conviction of its incompleteness, and Earl Fitzwilliam was sent to Ireland, as Lord Lieutenant in the following year, with the view, it was believed, of carrying a full measure of emancipation into effect. But the party in the Irish Parliament still acted as the good friend of the government, in resisting its unwilling efforts; and Earl Fitzwilliam, having been found to give deep offence, was recalled. One half of what they wished, in their possession, and the other almost grasped, only roused the country to a greater pitch of disappointed fury. The United Irishmen were rapidly joining the extremities of the country, by their secret tie. The general demand for reform in the state, had set them on a broader basis than the mere rights of the Catholics, and included the powerful body of Protestant Dissenters. They had commenced their correspondence with the French republic;

and it was presumed that they exercised the influence of command over 300,000 fighting men. A cry was then raised both in the Parliament of England and Ireland, for concession, —concession at the last hour, when the foe was at the gate; —but in vain. The method determined on was a different one. It was decided that the sore should be irritated and brought to a head. For this purpose did the Orange banditti, sanctioned by government, and hallooed forward by the Orange aristocracy, commit all the horrors which the ingenuity of lawless men, encouraged by the guardians of the laws could devise. Suspected persons were seized and subjected to tortures, which frequently brought confession, where there was no guilt. At the same time, the usual engine for making the crime, and then betraying it—the spy—was not neglected. The event answered expectation; the rebellion was brought out, and an opportunity given for farther cruelties, which were amply retaliated. It is impossible here to enter on a detailed view of the well-known horrors of this period, but we may just remark as referring to our subject, that this outbreak has generally been characterized as a Roman Catholic rebellion; it is, however, worthy of observation that the greater part of the leaders were Protestants.

The rebellion was the forerunner of a union favourable to England. An excuse was obtained, in the meantime, for forgetting the Catholic claims, and it was not easy to remind government of them, when at the head of a conquering army in the country, Ireland was, indeed, in the state of a country newly subjected, and the terms which England offered could not be well refused. Meanwhile, the leaders of the Catholic cause remained for some time inactive. A terrible excitement prevented men from calmly considering their claims, and when brought forward, any call for a change was too apt to be associated with rebellion. After the public press had by degrees revived the spirit of discussing their claims, a meeting of the old friends of the cause was held in 1805; a petition for a complete emancipation was brought before them, but the majority, were too sluggish for the effort, and rejected it, nor could they

be roused to better exertion in 1806, when their friends came into power. This body, indeed, as it had been constituted during the last century, was of too feeble a nature to stand the shock of the rebellion. It was founded on mistaken principles, in not embracing the people. With their assistance its energy would have never died. The mass would have always felt the pressure, and always resisted it. But a limited body was differently situated. The aristocracy still held a baneful influence on the spirit of the endeavours they stood coldly aloof, refusing their assistance or strove to stifle the endeavours of the more ardent. Private influences were allowed to affect measures brought forward in the name of the general body of the catholics, and intrigue frequently ruled their destinies.

But a new era was commencing. and a very different class of men was coming forward before the world, from those who had hitherto represented the crushed and broken spirit of the Catholics. Amongst those men appeared Daniel O'Connell, to whom, the cause of Catholic Emancipation is indebted for its success, and who wielded the power which he gradually obtained with talent and energy far surpassing that which had been ever witnessed in any of his predecessors.

A man like Mr. O'Connell, could not be long in Dublin without opportunities of rendering his opinions in public and spreading his spirit and his influence as widely as he could desire. With the possession of vast powers of acquisition, combined with intense study, he succeeded in stirring up that mass of legal knowledge, the possession of which, has rendered him so powerful a champion and so dreaded an opponent. Sir Jonah Barrington aptly describes him as having "bottled" his legal knowledge, whether for his own life or that of others, bending those powers as a popular orator, in which, the world so know him to excel, with a profound knowledge of the technicalities of his profession, he became in every way the well employed counsel, whether to direct the passions of a jury, or to puzzle the intellects of the bench. His acquirements as a municipal lawyer, were witnessed by the extent of his private business and the opinions of his friends. Catholic meetings had

not then been so frequent, nor so numerously attended as they have been since; they required two or three such abettors and advocates as himself, and he was amongst the most efficient in promoting this increase, and the increase of both their orators and audience. How differently must a speaker feel when addressing a jury from the bar, and a popular assembly from the platform; when pleading in the court of justice, the cause of some individual whom, in his heart, he thinks or knows to be guilty, and maintaining in a public room the interests of a community to which he is inviolably attached, and its claims to liberties, which he deems unjustly withheld, and which he is sworn by every means in his power to recover. The technicality, etiquette, and restraint of the one sphere of action must be thraldom to which the acquisition of a fortune or a strong sense of duty can alone enable such a man to submit, while the glow and range, the latitude and liberty of the other, must raise him above himself, and make him wish for this exclusive occupation.

It has has been said of a distinguished barrister of this country, who sometimes exerts his eloquence in the public meetings of benevolent institutions, that whenever he does so, the orator wants releasing from his legal armour. We have heard the individual from the platform of Freemasons Hall, and have thought him too fearful that his gown and wig were still upon him. Even the present Lord Abinger, who when at the bar was the least stiff and formal of modern pleaders, was evidently too much so, for speaking with perfect freedom and acceptance, when but at the bar. In fact, there can be but few individuals of this profession capable on unofficial occasions of completely divesting themselves of professional restraint, either with regard to action or speech. Lord Brougham is perhaps as striking an instance as we have in England, and Mr. O'Connell is a still more perfect example in Ireland.

However disinterested may be a man's struggle in behalf of his country or any body of suffering men, his own situation generally suggests to him the existence of the injustice and its extent. The profits of his profession lay in the way of

Mr. O'Connell, but the gate to its honours was closed, and he had to see inferior men, his contemporaries or his juniors acquiring before him the great object of the ambition of the lawyers. It is natural that whether he wished to enjoy these or not, he keenly felt the law, which made him a member of an inferior class of men, who dared not aspire to them, and thus all he felt and saw around him, prompted a man possessed of a disposition not easily swerved from its purpose, to engage early in the task of preparing to battle with the oppressive Protestant ascendency.

The Catholic barristers, with the junior O'Connell as their leader, now, for the first time, appeared on the side of the people. Up to this period, they were only known as pensioners, or the strings which the ministers held to move and direct the Catholic body. Fortunately, however, their efficiency diminished in direct ratio to their servility. From an early hour, the bar was crowded with these adventurers. They first entered, taking the oaths as recusants, or converted papists, then on the relaxation, they continued under a mongrel character, as a kind of half-bred between Papists and Protestants. The government first tried to entrap and to persecute them, but finding them too slippery, at last agreed to use them. O'Connell, however, was not a man to be *used* in this manner, he felt the degradation in which the law compelled him to move; he saw himself surrounded by a crowd of minor spirits, who appeared to bear the chains which were imposed upon them with slavish truckling, and who appeared so encased in apathy as to be unwilling to take a single step towards their emancipation from the thraldom, under which they were constrained to live. By degrees, however, a few noble souls appeared among them, whose habits of business, whose easy eloquence, whose vivid appeals to the passions of the multitude, their recklessness of Protestant censure; their broad, emphatic, and sometimes daring statement of wrongs and grievances indicated to the close observer, that a new epoch had commenced in Catholic affairs, and that the time could not be

long deferred, in which the whole people, down to the lowest citizen should be engaged as allies in the great cause. But with this too, it must be remembered they brought some alloy with the gold; the peculiar habits of their profession, the party cunning, the factious view, the intrigue, the artifice, and the deceit; a want of singleness and loftiness of purpose became conspicuous, and the noblest of causes was often degraded in consequence of the introduction of the ingredient by the most contemptible and miserable of means. But if we look to another side of the picture, and look upon the ostensible chiefs of the Catholic cause, under whose banners O'Connell first fought, and who afterwards supported him throughout his triumphant career, until the victory was won, we there find the names of certain noblemen inscribed, whom Catholic Ireland cherished as her most favourite sons, and who reckless of the thunder bolts which an intolerant government hurled against them manfully stood the shock of the storm, and like brave and undaunted pilots, stood unshaken and unmoved at the helm, until the vessel entrusted to their care was safely anchored in the harbour. It was by such men as Lord Fingal, Lord Gormanstown, Lord Trimbleston, Lord Ffrench with two or three of the Catholic baronetage, and particularly some extraordinary talented men of the Irish bar, that Mr. O'Connell saw himself surrounded in his first efforts to rescue his countrymen from the yoke by which they were oppressed. It was from coming into collision with men, whose minds were of such a gigantic grasp, that his own character gradually unfolded itself in all its noble and unequalled excellencies, and who although they might be originally his leaders, were soon found to be his followers, bestowing upon him all their patronage and support, and bearing him through a sea of difficulties, in which the common character would have been swamped. Nor does it speak more loudly for the character of Mr. O'Connell than it does for the penetration of those noblemen and gentlemen, that they could discern in Mr. O'Connell all the requisites for the formation of that character which could almost take a de-

light in obstacle, which could imbibe fresh strength from opposition, which could triumph over time, and defy delay. It may also be said that the characters of those men were such as are seldom to be found in the common paths of human life, and who at the time of Mr. O'Connell's public entrance into life, exhibited a constellation of talent seldom or perhaps never equalled in the most palmy days of our Parliamentary history. A sketch of the character of these celebrated men, may prove highly interesting, and it may be further said that the Irish bar, with Mr. O'Connell almost as the junior, was at this period the focus of the most extraordinary talents, which ever ardorned the legal courts of any country.

Lord Fingal may be considered as the leader of the Catholic party, he had all the better peculiarities of his order, with qualities, which had borrowed from the trials through which they had passed, only a stronger tinge of virtuous and steady indignation at the wrongs, which still continued to oppress his country. From his placid lips, there never burst an unworthy complaint, he boasted and promised little, but it may be truly said, that what he promised, did he ever fail to perform. His countenance, full of benignity, was a fit expression of the interior man, he was mild and modest, but there were also in him the firmness and honour of a gentleman; the spirit and perseverance of a true patriot. Through all the after vicissitudes of the Roman Catholic body, Lord Fingal never deserted its banners, he screened by his individual character, pure even from the breath of calumny, the errors and offences of an easily excited people; he often threw himself into the breach, and singly repelled by the might of his own consideration, the reproof and interference of the government. Conciliating to all, bearing all in patience; sacrificing in nothing, and to none his principles, he fully succeeded in producing a spirit of unanimity until then unknown in the Catholic community, and left to his son an inheritance, the brightest, which a father can transmit to his children the praise of having successfully done his duty in difficult times to his country, and the glory of sitting down in the

evening, full of years and honours under the shadow of that national happiness, to obtain which, he had cheerfully spent the morning and noon of his existence.

Lord Gormanstown possessed in some measure the calm mind, and adopted in the entire the moderate and winning policy of Lord Fingal. The temper and sobriety of both their characters placed in a still more striking and singular relief the bold and rudely-fashioned temperament of Lord Ffrench. There was nothing of the nobleman about this man, no grace, no soothing; no art; his mind and body were in strict unison, and adapted with a sort of marvellous felicity to each other. To look at his sallow and *farouche* countenance, lit with the gleamings of habitual sarcasm; to hear the deep whining, and the exaggerated roughness of his western accent, to see the huge gaunt frame; the unpowdered hair, the long club cue, the loose and lumbering coat, the slouching step, and the studious and some what savage neglect of this extraordinary personage, was to bring over the imagination loose recollections of a French revolutionist, blended indeed with peculiarities essentially Irish, a composition, inexplicable and sometimes alarming, for which no type or interpretation was to be found in any other country. Every thing about him, mind and body was energy, and in that particular, the world could not produce at the time such another pair as Lord Ffrench and Mr. O'Connell. His action came coarse, and swinging and negligent, but always with a certain conviction of mastery on the table. If he could have combined some of the silkiness which distinguished Mr. O'Connell in some of his earliest forensic exhibitions, he would undoubtedly have been one of the most extraordinary men of his age. He thought vigorously and roughly; he spoke harshly; whatever was the topic, he cast through all, grave or lofty or indignant as it might be, fantastic fragments of Irish humour which left surprise and pain and emotion, strangely jumbled together in the mind, even of the most habitual of his hearers. The field in which circumstances had placed him, it was quite obvious was by no means that, which was the most fitted either for the man or his works. He was no orator, but he left you

fearfully convinced that he might be somewhat more, he seemed to have been born many centuries too late; and would have figured with far more effect as a general of the Kilkenny confederacy, than as the chairman of a small committee, meeting in a back room in Dublin. The very look and gesture of the man were proofs that there was hardly room enough in the existing state of the country and the laws for a full developement of his energies, others talked of reasoning, he seemed to think of nothing but of action. In the age in which he lived, people gazed on him with a sort of stupor as an anomaly in accord with no class or with no feeling of their body. He had but little influence with any; they heard him for his rank and his oddity, and when absent, they turned round, and willingly forgot that he had ever been amongst them. The latter trait was in direct opposition to that displayed by Mr. O'Connell amidst his fiercest assertion of the rights and claims of his catholic brethren and his most zealous and determined efforts to achieve for them the concession of government, he discovered from the commencement of this service, a cheerful and humourous temper, which no disappointment could abate, and which won the hearts of his hearers to an affection for his person, quite as strong as their admiration of his talents, and their confidence in the justice and success of his exertions. All were pleased with him, whilst he was present; all respected him when he was gone.

Nothing can be imagined more perfectly opposed to Lord Ffrench than Lord Trimbleston. The early years of his life had been passed in feudal France: his opinions; his feelings, his whole *maniere d'etre* had been characteristically and indelibly affected by this sinister circumstance. The French revolution had burst on him in the middle of a circle of polished and chosen friends. Blinded by their sufferings and wrongs, he condemned every attempt, however limited or wise, for the attainment of their unquestionable rights on the part of the people. He saw nothing in that awful regeneration, but revolt against the best of institutions, insolent rebellion against the

most sacred of titles, outrageous and detestable principles, unjustified by a single grievance, unredeemed by a single good. His person, his manners, his accent were disagreeably and extravagantly French. All that he said or did, belonged to a class unknown and unfelt in Ireland. It was an emigrant from the army of Conde you listened to, and not to an indignant Catholic peer: the natural protector of an aggrieved people, rousing and directing on the just principles of constitutional freedom the combined exertions of his Catholic countrymen. If he addressed an assembly of rich merchants, or turbulent and enthusiastic tradesmen; if he stood in face of a crouding and anxious peasantry, it was of "the patrician blood of the Barnwells" only that he deigned to speak, and not of the broad and embracing slavery of an entire country. Such a man had no clue to the popular mind; he had little in common with Irishmen. They spoke different idioms; they could not understand each other. He occasionally appeared at public meetings, but his name, more than his presence was sought after. Till the period of the total secession resulting from the veto quarrel, he appeared to have something like an influence over the aristocratic portion of the body; but this was an imaginary power, a sort of title of courtesy, conceded good naturedly to the mere vanity of the individual; the real authority resided in the committee and the sub-committee, and both were under the immediate control and direction of men of business, the *barristers*.

With the latter gentlemen are indissolubly associated the names of O'Connell, Scully, Hussey, Clinch, Grattan, Shiell, &c., some of whom did not indeed live to witness the glory of the accomplishment of their great endeavours, but who will never die in the memory of a grateful country. Such men have become the property of the historian, who is the transcript of the deeds of the age in which they lived, who will point to their names as the great and potent instruments, by which, to a certain degree, their country became regenerated, and the chains of oppression, which had long bound their compatriots, broken for ever.

Of all these celebrated men, Mr· Scully formed perhaps the greatest contrast to Mr. O'Connell. He had received from nature far more of the statesman, than of the orator. He was grave, cautious, secret, profound; no ebullition of vanity appeared upon the surface; no involuntary revealings of feeling detected or even hinted the inward man. No person could more maturely weigh all the advantages of an arrangement, before he submitted it to the passions of the multitude for adoption, or when once thoroughly penetrated with its utility, in despite of aristocratic sneer, or popular clamour, no man was more unlikely to recede. Yet he seldom, like Mr. O'Connell, ever ventured into the enemy's camp, and when he did risk an attack, it was in those slight flank movements, those off-skirmishings of resolution or debate, which were intended to produce little more than the momentary annoyance of an antagonist. Not so with O'Connell. He never hovers about the enemy's camp, prying about for some loop-hole, by which he can effect an entrance—he dashes boldly into the midst of it, flings about with masculine energy, his invincible weapons, and as long as opposition is manifested towards him, he presents his daring front to the foe, and never leaves him until he sees him abashed, discomfited and humiliated. All the measures of O'Connell have a bold and comprehensive character about them, he stops not half way to consider by what means he shall accomplish the remainder of his undertaking, he has set out with the determination to effect a particular purpose; obstacles only operate as a greater incitement to his courage and perseverance; he contents himself not with that wavring, Fabian system of tactics, he temporises not with the object which impels him forward; however distant his goal may be, it is the mark of his high emprise, and like the camel in the sand storm of the desert, he undauntedly faces the tempest, and glories in the blast which threatens to immolate him.

Different, indeed from this was Mr. Scully; it is true however that the period for a more energetic description of warfare had not yet arrived but it depended after all far more on the temper of the man, than on the circumstances of the time or place.

There was a surly and sometimes a clumsy kind of Machiavelism about him which more or less tinctured his entire policy. He hated the direct line, and preferred coming at the most obvious consequences by a circuit. He would have tortured a problem of Euclid to pieces, and it was said of him, that he could not drink his tea without a stratagem, nor could he be persuaded to make a people free or happy, without first deceiving them. His whole being was lawyer like; he special pleaded great rights, and would not have disdained to slip through the half open gates of the constitution on the back of a quibble. He was an admirable parrier; made a few thrusts, but seldom received a blow. During his administration, for such it may be called, the Catholic body erred little, retrogaded little, but advanced little also. He tacked about, he curvetted, he made zig-zag movements, but he never lost ground. He was singularly adapted to its then position, when prudence was far more essential than enthusiasm, there were times later, when enthusiasm was far more necessary than prudence, and these will particularly apply to Mr. O'Connell, who with an unbounded, an inexhaustible stock of enthusiasm, shewed himself sometimes not exactly under the guidance of prudence.

It would be in vain to deny that Mr. Scully was gifted with qualities of a far higher order. His power was not only distinguished by the first rate logical acumen, but were by no means inconsiderable in the lower regions of popular eloquence; yet Mr. Scully was no orator; his person was unfavourable, low, squat, clumsy; it could only be redeemed from those physical defects by the general cut of his countenance. Yet even there was little, which was not of a very secondary order. The prominent nose, the broad forehead were forgotten, in the small, weak and almost inexpressive eye. The general contour has been likened to Napoleon's, but two faces in their real character, could not be imagined more absolutely opposed. One was stout, coarse, bluff, common sense, with tones here and there of shrewdness or cunning; the other had all the delicate refinements, with all the substantial qualities of the highest order of human mind. His action was irregular, rude, but often emphatic, his enunciation measured, yet un-

polished: he employed public speaking as the means only; the carrying of the measure was the end. No man was less ostensibly before the Catholic public, yet no man with the exception afterwards of Mr. O'Connell more thoroughly governed it. He was felt only in consequence: the *main de maitre* was known only, when the event had taken place. This is the direct reverse of Mr. O'Connell, the hand of the master is seen before the consequences exhibit themselves: the lightning of O'Connell is long seen before his thunder is heard. It was only when the event had taken place, that the close observer of Mr. Scully might notice a relaxation from his habitual reserve, and the sardonic smiles of triumph which shot over his countenance at a success, which he had so patiently and perfectly ensured, were the best evidences how anxiously he sought, and how deeply he valued the enjoyment and retention of political power. During the whole period of his rule, he was absolute, and in whatever manner he chose to shew himself, either through others or in his own person, seldom or ever did he meet with anything like a steady or effectual opposition to his measures or any essential falling off of that habitual respect, which men contracted even for his faults.

Co-oprating with Mr. Scully, or in more precise terms, carrying into effect in public, what Mr. Scully had resolved to do in private, were men of unquestionable, though perhaps not of commanding talents. The extraordinary abilities of Mr. O'Connell, had not then had time to develope themselves; but the influence of the talent which was around him possessed no doubt a preponderating effect in drawing forth those energies, by which he now rules the destinies of his country. The Irish Bar was certainly not the place, where the graces of oratory could be learned. There was a native coarseness attached to the Irish Barrister, which would not be tolerated in a British one, and the polish of the Gentleman was frequently cast off to effect by downright invective and scurrility what in other courts would have been acquired by force of argument, or which applied to the finer feelings of our nature. Mr O'Connell saw few examples

around him in which the pathos was employed to support the cause of a client, but recourse was had to a *brusquerie*, to an uncouth and ungracious mode of handling the subject, and the force of lungs was often called in to supply the place of sound argument or logical deduction. Of a different class of men was Mr Hussey, he was a ready, every day speaker, he had the talent of a clever rifleman, knew to a hair the point of attack, could attain it easily and carelessly; was expert at a sudden sarcasm; could level an appropriate anecdote with sharp effect, and disappear from the search of his adversary, in the very moment, he inflicted the wound. Yet, Mr Hussey was not deficient in the kindlier characteristics of a public man: no speaker could talk down an angry opponent, when it so pleased him into more provoking good humour, or wipe away with a few words the bitterness of an entire debate. There was something singularly hibernian, no doubt, in the manner and matter of the entire man, he looked, smiled, and acted the brogue. His red hair and twinkling blue eyes were not less idiomatic than his phraseology. This with Irishmen like himself, might have told; with others, it was worse than useless, it was injurious. Yet, with all this he had many merits. He was an admirable political colleague; no man in the entire body was better fitted to the guerilla warfare of a desultory debate. He could follow, but he could not lead. Mr O'Connell can lead but he cannot follow; the initiating or conducting of a measure was not the forte of Mr Hussey. It is the pride and glory of Mr O'Connell to be the architect of a scheme, and having once laid the foundation stone, the superstructure soon shews itself, and we see the coping, before we are scarcely aware that the edifice is begun. Perhaps no greater contrast ever exhibited itself at the Irish Bar than Mr Hussey and Mr. O'Connell, whether it was incapacity or the interposition of a gay and volatile nature, the former addicted himself but little, or with little effect, to the severer kind of political study. He was a man, who received and gave out quickly the impressions of the moment, but retained nothing. His political enthusiasm was soon exhausted; he retired, when others thought he was only com-

mencing, disgusted or fatigued from public affairs; the political enthusiasm of Mr O'Connell is like the fires of Etna, ever intense, ever blazing; evil it has sometimes committed, but from the very lava has come forth a noble fruit, which has refreshed his countrymen after their years of bondage and oppression, and in the enjoyment of which, he participates with them in all the plenitude of his ardent patriotism.

The great fault of the Irish barristers at this time was, that they missed the national mind; they were not exactly Irish enough to sacrifice every thing to the good of the country, and too much Irish to bear tamely the wrongs, which their peculiar mode of faith entailed upon them. Of this class was Mr. Clinch, who although a barrister, can scarcely be said to have adopted altogether the popular party. Studious, patient informed, a perfect master of details, he viewed every subject in its minutest, rather than its largest bearings, examined painfully every matter with the microscope in his hand, and elaborated, from the most confused and abstruse materials, conclusions, which when sufficiently understood, were received with wonder by his audience, but found totally useless, when attempted to be carried into any real or practical effect. It was Mr. Clinch's misfortune, though in a different sense from Lord Ffrench to have been born either too early or too late. He would have been venerated in the olden days of black letter decisions and portly brass-clasped folios, in the times of the Bellarmines and the Scaligers, as a man *singulœris et recondita sapientiœ*. In the present, he might do no dishonour to the venerable judgment bench of the Roman Rota, but in an assembly of ardent and enquiring Irishmen, whose feelings at all times travel so much quicker than their reason, and who required no quotation from moth-eaten statutes to prove to them their grievances, which they found written in deep and enduring letters in their hearts, it must be confessed that Mr. Clinch's eloquence and learning fell, like manna in the desert, and melted away in thin air, before any one could be met, willing or able to collect it. He too, as much as Lord Trimleston, though in a somewhat different way, altogether missed the national mind; he went on

with it side by side, but always in a parallel direction. There was no point of contact between him and the country, his whole energies were spent in the *strenua inertia* of solving, little difficulties, or raising injuriously little difficulties into great ones. A nation was to be summoned from the tomb, and he went about examining the form and fashion of the sepulchre. Hence few listened, and fewer understood. His support was only of occasional value, almost always heard, in despite of his keen logic with incredulity and of his real knowledge, with neglect and impatience, he was always behind or beyond his audience.

> He went on refining,
> And thought of convincing, whilst they thought of dining.

Such a man was too doctrinal, too dogmatic, too much a man of learned saws and nice precedents for the fierce and fervent realities of ordinary political life. When the coarse struggle, and the tumultuous clamour came onward, his weapons too delicate for such a warfare, snapt asunder, his voice was lost in the crowd. The fastidiousness of a learned leisure then seized him; he retired from a conflict in which rougher energies were requisite: he could not fight in so rude a field; he went home, and sighed in solitude over the fortunes of his country.

Such were some of the celebrated men, who preceded Mr. O'Connell in the great and stupendous work of the regeneration of their country. They lived not to see the accomplishment of their endeavours, nor to witness the glory of their emancipated land. Their acts and characters have been fully portrayed by other pens; but the time was fast approaching, when altogether, another "birth of men" was to rush up behind the former exhibitions, far more audacious, far more successful, gifted with firmer will, though scarcely with higher powers, and who placed in circumstances, which guided them far more, than they have guided the circumstances, have mainly combined by some inscrutable disposition of moral causes, ultimately to produce those great results, which seemed to defy the wis-

dom of the wisest, and the courage of the bravest before them.

Mr. O'Connell was at this time like a lion in his den, mustering all his strength and vigour to pounce upon the enemies, by whom his country was assailed. As yet, he had not appeared upon the turbulent arena of political strife, confining himself to the prosecution of his professional duties, in the exercise of which, his real character at times shone forth, confounding his antagonists, and startling the bench itself by the display of his extraordinary talents. He was not one of those cold, frigid pleaders, who having no immediate interes in the success of the case, consider that they have performed their duty in a dry detail of circumstances, without making one impassioned effort to enforce a conviction of right on the minds of the jury or the judge. Not so, was it with O'Connell, the cause of his client was his own, his whole soul appeared to be concentred in overthrowing every obstacle which legal subtlety or fine spun argument might have thrown in the way of the success of his client. With an equal tact did he lay hold of those advantages, with which the ignorance or oversight of his adversary furnished him, and having once made them his own, he turned and twisted them in every possible form, until he saw that he had made the impression which he desired, and then by the exercise of his oratorical powers, he brought the Bench into an admission of the justness of his cause, and ultimately secured the triumph of his client.

There is little doubt that the tone and temper of Mr. O'Connell's mind acquired an additional strength from the extraordinary talents, which some of the leaders of the Catholic body at this period displayed. It was impossible with a mind constituted as Mr. O'Connell's was, to live in the atmosphere of such men, without imbibing some portion of their enthusiasm, or acquiring a thorough knowledge of all the bearings of the great and momentous question which then engrossed the whole of their attention. The communication of instruction as well as of information on all the essential points under consideration passed from mind to mind, with the ra-

pidity of the electrical fluid, and on the susceptible one of Mr. O'Connell, not a part was lost, which quickly taking root, shot forth with a luxuriance, scarcely to be equalled in ancient or modern times.

At this time, a triumvirate appeared amongst the members of the catholic body, in the persons of Dr. Dromgoole, Dr. Troy and Dr. Milner, who may be said to have been the guides of Mr. O'Connell in the course which he had marked out for himself, and who in the galaxy of talent, which at this period shone in Ireland, may be regarded as the brightest luminaries. As a champion of the church, Dr. Dromgoole was turbulent and warlike. His armoury was almost exclusively from the Vatican, the weapon he delighted in, was the double edged sword of scholastic dialectics. The councils, the fathers the dusty library of ancient and modern controversy were his classics. Valiant, uncompromising, headstrong, he bore with a sulky composure, on his sevenfold shield of theology, all the lighter shafts of contemporary ridicule, and went on like another Ajax, or the poetic animal, to whom he is compared in the Iliad, through staves and stones to the accomplishment of his solemn purpose. His celebrated manifesto against the church triumphant, or the established church of Ireland created at the time a sort of absurd panic amongst friends and foes. The anti-catholic seized with avidity the opportunity of fastening the delirium of an individual on the same portion of the body, much in as wise and effectual a way as the friends of Don Basilio in the Barbiere de Seviglia attempted to talk him into the sudden belief that he is attacked with, fever. The Catholics thought it necessary to disclaim the imputation; a *ludicrous* and *injurious* precedent.

On this subject Mr. O'Connell justly observes it was *ludicrous* because it was attaching to these reveries the importance of sober truth ; it was *injurious*, because it admitted the necessity of contradicting by public resolutions, the speech of every individual, which should contain opinions at variance with the opinions of the body. The consequences of this position are obvious ; if such speeches were to be contradicted every time

they were to be made, it is difficult to say where would have terminated the contradictions of the association. If not, such speeches would necessarily stand as the avowed recorded opinions of the entire catholic community; the catholic leaders were thus led very precipitately into a dilemma: they found sufficient difficulty a little later in getting out of it.

Doctor Dromgoole was however a champion of the olden times; he scorned to be deterred from the good work by the disapproval of those men of little faith. He persevered unto the end, discharging even in the moment of his retreat from public life, some of those parthian shafts of long nourished hatred, which he had brandished so boldly in the earlier part of his career. His latter days were spent with great propriety in the immediate shadow of the Vatican; finding few ears for his truths in Ireland, he had retired to Rome, but whether to organise an army of the faith, or to import a second Rinuccini, for the modern catholic confederacy, has not been transmitted to posterity. It was not without a smile that the Irish student sometimes met him in the learned gardens of that capital, maturing with his accustomed leisure of thought and manner some new project for "the salvation of the infidels." In his large bushy eyebrows bent solemnly to the earth, and his ponderous lips scarcely ever opened but for a dogma, or an anathema, and his broad sallow features spread out over an immense head, the signs of the times seemed visibly imprinted, and fresh hopes, at every time that he struck the ground with his heavy cane, appeared to be conjured up by the modern Thaumaturgus, for the glory and regeneration of Catholic Ireland.

To this Duigenan of the Catholic cause, might perhaps be very naturally added, at least by its opponents, the few of the prelacy who now, for the first time had the courage or indiscretion of lending their names and exertions to those of their suffering fellow-countrymen; but it would be doing a sort of wrong to such men as Dr. Troy, the Catholic Archbishop of Dublin, to comprehend him in the list of such public combatants. He was indeed notorious for the ultraism of his eccle-

siastical opinions, for no man was more indisposed to any undue display of his faculties than that very moderate dignitary. He had passed through times of doubt and difficulty, through ordeals of every variety, with a character equally respected by friend and enemy. The recollections of the past, and a more than usual intimacy with the Castle, now and then bowed him from that upright and elevated bearing which is so much more natural and easy to the Roman Catholic prelate, as well as to the Roman Catholic layman, of our own times, but the defect and the evil were restricted to the individual; the period was gone by, when by the servility of any one, however distinguished, the general interests of the body could be much injured or affected. In the same period in which three prelates of the Church of Ireland, had left behind them a sum little less than £400.000, Dr. Troy had nothing to bequeath to his family or the public, but the remembrance of his charities, and a debt contracted chiefly in doing good.

We are now about to enter upon a relation of those circumstances which brought Mr. O'Connell immediately into the field of action, and which led to the acquisition of his reputation as one of the most powerful advocates of the Irish bar.

The altercations which had taken place in 1805, and 1809, had principally arisen from two sources of discord, which continued long to affect the body; the contention for leadership, and the apprehension of incurring by any acts of a bold and independent nature, the displeasure of the superior powers. The first had led to very mischievous consequences, it had prevented the Catholics from adopting for a very considerable period, any steady or well organised body for the transaction of public business or the proper communication with government, or their friends in either House of Parliament; the second produced a very wavering policy in the presentations of their petitions, which instead of being brought forward as the expression of public grievance, in proportion as its pressure began more sensibly to be felt, were offered or withdrawn, with a view only to the accommodation of parliamentary parties, and employed as an instrument of no

mean efficacy in the political warfare for power and place. But a principle of discord far more extensive, far more dangerous far more enduring, which continued for nearly eight successive years, to distract and embitter the proceedings of the Roman Catholics, in addition to the evils just noted, unhappily sprung up amongst them. The precincts of a sketch fortunately preclude both the reader and the writer from entering much at length into this celebrated question, but its influence upon Catholic politics, the check, which it gave to the natural progress of their cause; the fatal animosities which it engendered, the difficulty with which they were finally subdued are sufficient apologies for its introduction.

In the year 1808, Lord Fingal was intrusted with the management of the petition, and with whatever communications might become necessary with the friends and advocates of the Catholic cause in either House of Parliament. This petition concerned the interminable controversy of the veto, the history of which is still involved in much obscurity. Lord Fingal had scarcely arrived, when he was invited to a conference with Mr. Ponsonby, and subsequently with other distinguished supporters of the Catholic cause. Their conferences always proved of the most injurious consequence to the catholic community. Whether from inadvertence or zeal, or injudicious submission to the opinions of parliamentary advisers, Lord Fingal appears precipitately to have consented to the proposition of a measure, for which certainly he had no adequate or specific authority from the body itself. Mr. Grattan presented their petition to the House of Commons on the 26th. of May, and in the course of his speech observed, that he was empowered to make a proposition to the House on the part of the petitioners, which would remove all danger that might be apprehended from the admission of Catholics into the constitution, and would fully establish the moral and political integrity of the whole British empire. It was a proposal to allow the crown a direct negative interference, should the prayer of the petition be granted, in the future appointment of their

bishops. Mr. Ponsonby went still further and stated, "that he was authorised to say that the Catholic clergy were willing in the event of the measure before the House being acceded to, that the appointment of every Catholic bishop in Ireland should in future finally vest in the King. The speech of Lord Grenville in the Lords on the 27th. of the same month was still more minute and explicit. He went into the history of the measure, and gave it to be understood, that it was part of the system (the provision for the clergy was another) which was in contemplation at the time of the union. These proffers were however unavailing; Mr. Perceval, the then premier, scornfully rejected them, and the motion for taking the petitions into consideration was lost by large majorities in both Houses.

But this was a very minor portion of the disasters which this fatal proposition soon entailed upon the Roman Catholics. The morning after the debate, May 26th. Dr. Milner, the agent of the Catholic Bishops of Ireland published a protest against the use which had been made of his name in the debate of the preceding evening. In Ireland, the feeling of public reprobation was still stronger. The moment the reports of the parliamentary debates arrived, there was a general burst of indignation throughout the country. The public mind was thrown into the utmost agitation. The laity revolted at the idea of the ministers of their religion becoming exposed to the corruption of the ministers. The clergy were roused by a common impetus to the assertion of their spiritual independence. On the 14th and 15th of May, a national synod was summoned, it passed a condemnatory resolution of the late proposition, signed by twenty three prelates, three only of the entire body, originally subscribers to the resolutions of 1799 having dissented. This impression was ardently seconded by the people. The address attempted to be got up to Lord Fingal, and designed more to sanction the measure, than to exclude that nobleman from the share which he had taken in the late proceedings, did not obtain more than fifty signatures, of whom forty-six afterwards retracted. On the other side the addresses

of thanks to the bishops, were signed by not less than forty thousand persons. The resolutions of Louth followed. Ulster, with the exception of a single individual was unanimous, Munster and Connaught with few disentients, concurred in the same opinion. This demonstration of public opinion produced its effect. In the petition intended to have been presented in 1809, all mention of votes was studiously avoided. In 1810 the bishops again met in synod, and passed resolutions still more clear and desicive. They were intended to be final and accordingly form the great point of reference in all the subsequent discussions. The general committee then seconded and supported these resolutions, and retured the bishops thanks in a meeting assembled at D'arcys on the 2nd of March, without a division or even a debate. In the same year, the petition of the Catholics was again presented to both Houses, and Mr. Grattan in compliance with his instructions, explicitly declared to the House of Commons that the Catholics had refused all concurrence and assent to the securities, which he had originally suggested in 1808. Such declaration of the unalterable resolution of the clergy and laity of Ireland ought to have quenched all further discussion. But this controversy, like all others, which had preceded it, was used chiefly as an instrument for the gratification of private jealousies and the infliction of private wrongs. The great mass of the people had unequivocally pronounced against the propositiou, and the bishops had directed or followed (it is not quite clear which) the opinion and decision of the people. This perhaps was an additional motive with the aristocracy to persevere in their dissent. Few of their body joined their voices with those of the large mass of their country. They made common cause with Lord Fingal, in whose person they considered themselves insulted, and for many years afterwards were still found in concurrence with the old party of the English Catholics, from whom all these differences had originated, encouraging unfortunately the feud which had so long counteracted the energies and deeply injured the best interests of the country.

But these discussions were on the point of being soon in-

terrupted, not indeed, by the returning spirit of union and good feeling, but by a power which had hitherto been little apprehended by the Roman Catholics. Their discussions and dissensions had for some time back attracted the attention of government. Though little as yet in connection with the people, the Catholic committee even then was considered as formidable. The committee of 1809 had been constituted with great care and caution. The discussion at that period on the convention act, had suggested the necessity of avoiding any appearance of delegation; though by an express clause it was provided that nothing therein contained, should prevent the rights of his majesty's subjects to petition his majesty or the Parliament. In the last resolutions of the meeting from which the Catholic committee had originated, this clause is especially referred to, but as if anticipating the jealousy of government, the same resolution declared, that the noblemen and gentlemen aforesaid, are not representatives of the Catholic body or any portion thereof. This salutary precaution was, however, forgotten in the meeting which took place at the Farming Repository in the following July. A considerable alteration was adopted. The last resolution appoints a committee to be composed of the thirty-six members for Dublin, and ten gentlemen from each county in Ireland. This committee was embodied for the purpose of drawing up an address to the king, a remonstrance to the British nation, and a petition to Parliament, to be presented at the beginning of next session. It was still imagined by this specific statement of the purposes for which it was formed, that it would stand within the limits of the law and thus preclude the possibility of any interference on the part of government. But the Catholics had calculated without much knowledge of the motive or characters of those men with whom they had to deal. The attack was directed, not against any infringement of the law, but against the existence of the committee itself.

The convention act passed in 1793, had been originally framed by Lord Clare with a view to break up the organization of the United Irishmen. It had now lain dormant for eighteen

years, and the Catholics had been permitted without interruption by every successive administration during that period, to collect and express the will of their body, in the manner most agreeable to themselves. Their internal differences did not interfere with the public tranquillity, and had hitherto been rather a source of gratification, than uneasiness to that party, whose policy it was to divide and weaken their body, but under the Richmond administration, their proceedings were watched with a much stricter scrutiny.

The eye of O'Connell was however directed to all these proceedings, he was watching them with an intensity of interest, which was in a short time to manifest itself openly, and to carry alarm and dismay into the Protestant camp. The meeting which was held in the exhibition room William Street, in 1809, at which Mr. O'Connell took so prominent a part, was the meeting for establishing the general committee of 1809. The grounds on which the meeting founded the necessity of renewing the struggles for the party, were thus well expressed:—We are now unhappily and experimentally convinced, that no principle of justice, no force of reasoning is sufficient to counteract a malignant influence, which threatens the empire with general contamination and consequent destruction. Public delinquents and defrauders would put to hazard the existence of the reigning family, and the integrity of the empire, rather than restore the people to the privileges of the constitution, which would produce such wholesome reform of abuses as must deprive themselves of the opportunity of undue influence and peculation."

The part which Mr. O'Connell took in the formation of this committee, is a remarkable instance of his caution and foresight. It was mentioned at the passing of the Relief Bill of 1793, an act was passed to prevent delegates or representatives from meeting to petition Parliament. The act had long lain useless; but O'Connell knew the hands it was placed in too well to believe that it would not be had recourse to. On forty-two noblemen and gentlemen being appointed to prepare a petition to Parliament, it was proposed by Mr. O'Connell,

and "resolved unanimously. that the noblemen and gentlemen aforesaid are not representatives of the Catholic body, or any portion thereof." This wise resolution was, unfortunately not kept. A meeting was afterwards held, which appointed a committee to consist of thirty-six members for Dublin, and ten gentlemen from each county in Ireland, for the purpose of preparing an address to the king, a remonstrance to the British nation, and a petition to Parliament. In consequence of this, a circular letter was addressed by Mr. Wellesley Pole, Secretary for Ireland, to the sheriffs and magistrates, requiring them to put the Convention Act in execution, by arresting any person who may have given notice of an election, or may have joined in the choosing of a delegate. Lord Fingal, and some other members of the committee, having met in defiance of the threat, were arrested and brought to trial. The question was tried before a Dublin packed jury, in the persons of Dr. Sheridan and Mr. Kirwan. They owed their rescue chiefly to the man who had recommended them to avoid the danger. Mr. O'Connell was counsel in this case, but not at that time, being a leading counsel, he confined himself merely to the cross-examination of the witnesses, but it was well known that the whole plan of the defence was arranged by him, and to his masterly management was it in a great degree attributed that the accused were acquitted— Roman Catholics acquitted by Protestants! Such an event was new and unexpected in Ireland, and created vast astonishment. The victory was, however, marred by an attempt to carry it too far, for the victor, as is often the case, marred the victory in the very instant of its acquisition by his own folly, and warm and ardent as we may be in the sentiments which we entertain of the general conduct of Mr. O'Connell in the management of the Catholic affairs, we can not still wholly avert our view from those errors which he committed, and to which, perhaps, he was led by a too sanguine and enthusiastic a disposition, flushed at the time with victory, and anxious to follow up the success which he had already obtained.

The verdict of the jury had returned to the Catholics their right of delegation, and in the moment of their triumph, par-

donable, perhaps in men accustomed only to disappointment: they were hurried onward to a new contest and certain defeat. The warrants for the apprehension of the Catholic leaders, had been signed by Lord Chief Justice Downes, and the verdict of the jury having determined such arrests to be illegal, it was considered, that the commission of; the illegal act ought to be punished in the person of the offending party. Accordingly a counter prosecution was set on foot against Chief Justice Downes, in which Mr. O'Connell's natural foresight and prudence for a time forsook him. The prosecution might have been easily and honourably got rid of a compromise extorted from the fears, or at least sanctioned with the approbation of the ruling powers, would have established the then unquestioned privileges of the Catholic and not rashly put at hazard by evil precedent, the very highest privileges of the citizen. It was, however, ruled otherwise, O'Connell had drawn the sword, and he considered it tantamount to a defeat, to sheath it without striking a blow. He pushed on the attack with vigour. He considered the existence of his party was involved in the safety of the individual all constitutional considerations disappeared in the defence, for the point in struggle was the credit of a faction. What reasonable man, who measures life by living things, and reads facts, not theories, could for an instant doubt of the result? The case was tried a second time in the person of the chief justice. Judgement was given against the Catholics. The judgement was intended to be appealed against, but the Catholics lost their spirits not even the thundering eloquence of O'Connell, could rouse them, and the demurrers were not even argued. Thus the victory, which they had first obtained, was reversed. The committee was scattered, delegation was annihilated, and a common liberty sacrificed by the indiscretion of individuals, to the chicane and corruption of an arrogant and offending party.

The disorganised state into which the Catholic body was thrown by their defeat in their prosecution of Chief Justice Downes, for a time affected the whole proceedings of the Catholics. O'Connell however recovered them from their stupe-

faction. He was not one to let a great and noble cause die a violent death, when by his energies he could resuscitate it, and gradually restore it to its pristine vigour. In vain did the Protestant press assail him, in vain did the hirelings of a bloated Protestant aristocracy, try to wound him in his professional, as well as in his private character. ' He looked down upon them from his stronghold with contempt, he saw their venomed shafts fall hurtless to the ground, and conscious of his invulnerability, the fiercer the atack, the more daring and bold was he in his defence. His enemies quailed before him, and whilst some fell prostrate at his feet, others sought their safety in flight, carrying with them on their recreant backs, the infliction of the punishment which he had so lavishly bestowed upon them. The General Committee had indeed separated, and delegation, even for the purposes of petition, had been declared highly penal, but the spirit, which brought that body originally together, and had given shape and form to these elements, when there was much less affinity between them, still survived, and soon built up a new structure from the fragments of the old. In the erection of this new edifice, Mr. O'Connell was the chief architect; he collected together the separated parts, he brought them into a state of uniformity and symmetry. Out of a voluntary assemblage of the former members, deprecating however with the greatest caution every thing which could be construed into a representative character, arose a new association under an altered title, the body remaining virtually the same: the ministers had accomplished nothing than the changing of one appellation from the other. The Catholic Committee had become the Catholic Board.

Scarcely however had Mr. O'Connell succeeded in adjusting the disjointed members, than a new source of discomfiture presented itself, which threatened him with a total frustration of his plans. By his dexterity and good management, the Catholics had foiled the minister, and would have rapidly foiled, like the minister, all other enemies, who opposed them, had it not been for their friends and for themselves. O'Connell placed himself the foremost in the ranks of the antevetoists,

and thus was a kind of civil war carried into the very midst of the Catholic camp. It was a firebrand which ought not to have been made use of by the Catholics, himself considering that their Protestant enemies would know too well how to lay hold of it, and send forth its destructive properties in those quarters, where the combustible materials chiefly abounded, and where the ravages of which could not be easily stopped. At a period when all ought to have been union and concord, the hostile political parties employed every means which lay within their reach to sustain the internal conflict. The English vetoists kept up constant communications with their friends in Ireland. In 1810, a resolution strongly declaratory of their opinions, the joint suggestion of Lord Grenville and Lord Grey, was circulated amongst the body, it was replaced by a resolution, since notorious in English and Irish Catholic politics, under the name of the fifth resolution of the English Catholics, It was inserted in their petition to the legislature and signed by the great mass of the English Catholics, clergy, and laity. The Irish Catholics were extremely divided; the clergy unanimously and many of the majority of the laity still retained their opposition to the measure, but the aristocracy for the most part were favourable. During the year 1811, these differences, with slight variations, continued. O'Connell sounded the tocsin of alarm, should the veto be allowed. The friends of the measure urged as an additional argument, the situation in which the pope then was, being in the hands of the French emperor, and presumed to be under the controul and direction of our arch enemy. Application was finally made to the pope, and in his absence and detention in France, Monsignor afterwards Cardinal Quarantotti addressed in 1814, his celebrated letter to Dr. Poynter, which instead of calming, added only new fuel to their dissensions. Every bearing of the measure continued to be argued by Protestants and Catholics, both in and out of Parliament with an acerbity scarcely known in the earliest discussions of the questions.

Before viewing the progress of this division, a sketch of the

position of the Roman Catholic church in Ireland may not be unacceptable to those of our readers, who are unacquainted with the merits of the important question of the veto, and which called forth in so a spirited manner the energies of Mr O'Connell.

There are four archbishops and twenty-two bishops. In Galway, there is a dignitary called a *warden*, who seems to supply the place of a bishop. Each bishop has a vicar-general, and in each diocese there is an archdeacon and dean—persons whose offices are merely nominal, neither power nor salary being annexed to them. On the death of a bishop, the clergy of his diocese assemble, and make choice of a person to be recommended to the pope, as a candidate for the vacant see, and the bishops of the province assemble for a similar purpose generally naming two or three persons. A sort of committee of cardinals sits on the list thus transmitted, and one is submitted to the pope, who generally confirms the nomination. Parish priests are chosen by the bishop, and may be removed at pleasure, unless they have a written appointment, or have been three years in peaceable possession. This system is rather repugnant to the republican feelings of Presbyterians; but it must be remembered that it is quite voluntary. The hold of the parish priest is on the minds of his flock. The bishop has no better foundation for his jurisdiction, than the consciences of the priests. The system appears to us, who have been brought up to respect a different one, to be erroneous, but if it be so, surely those who adopt it are responsible, and are the sufferers—*we* suffer nothing from it. We have no right therefore, to take the rod into our hands; and, as to eradicating the erroneous faith, the persecutions of seventy years, and the injustice of seventy more, have only made the unhappy subjects adhere more firmly to their errors—if such they be.

Is the Roman Catholic religion opposed to liberty, or freedom of opinion? It has flourished without injury to liberty in republican America, and in Belgium. In our own colony of Canada, it has been wisely allowed to exist unfettered, and no

evil has arisen from it; and it is in some Catholic countries only that clergymen of a different faith from the establishment are paid by government. The salary of the Irish priest is collected on various periodical occasions, which, depending on no better hold than the esteem and good feeling of a very poor population, are more scrupulously attended to, than the support of an offensive establishment, enforced by the arm of the law, will ever be. Each head of a family gives, according to his means, from a guinea to a shilling, at Christmas and Easter. Fees are generally paid to the parish priest at christenings and weddings. The emoluments of the bishops are generally derived from licences to marry without publishing the bans, and an annual sum paid by each priest of his diocese.

On the 27th February 1810, Mr. Grattan presented the petition. "When last," he said, "he had addressed the House upon that subject, he had stated that the Catholics were willing to concede to his Majesty the right of *veto* on the nomination of their bishops. He was sorry to say, that he could not repeat this; but whether he had misinformed the House, or they had been guilty of retraction, was a question which he would never agitate, it being his fixed principle never to defend himself at the expence of his country." On the 18th of May, he moved for a committee to consider the petition, and to report on what concessions should be made to the Catholics, and on what conditions; but this was refused by 213 to 109,

The feud thus produced, or rather, perhaps, the feud excused on the ground of these occurrences, may be said, we believe, still to exist. The Roman Catholic aristocracy, who had before shewn coldness, now displayed enmity. During the whole course, indeed, of the struggle, they had not many bonds of union with their suffering fellow-countrymen—now, they had fewer than ever. When the laws of property were restored, they were rich, and able to maintain their rank in society. Rank and riches will always possess influence in a state, despite of disqualifications. The member of parliament, or the under-secretary, who would scorn the cries of a starving "mob," will be honoured by the notice of a Catholic Earl, and "glad

to oblige." To the poor man, political franchises and rights are every thing—without them he is a slave.

The distaste, even the enmity of the aristocracy, came, in latter days, to have but a slight effect on the vast machinery put in motion in the Catholic cause; at the period of the Catholic board, however, they did produce considerable depression. The aristocracy, it is true, sunk in power and general esteem but this was no consolation to the struggling members of the Catholic board. Occasionally they were cheered by the thrilling eloquence of O'Connell, who thundered out a bold resolution, which, for a moment, woke the country; but it reposed again—a peculiar inertness seemed to have seized all parties for a time. The Catholic Board sunk, at last, to slumber with the rest.

Meanwhile, a baneful excitement—a sort of excitement which has always been at its highest when the more healthy political feelings have been dormant—disturbed many parts of Ireland; and the unfortunate peasantry, who had not then been taught to look up to the leader, who instructed them in the art of peaceful unanimity, brought farther evils on their devoted heads, by the mad irregularity of the efforts to remove those which had already thickened over them.

In 1813, the attention of parliament, which had been so often in vain called to the disqualifications of the Irish, was eagerly directed to their disturbances. These were of the same nature as those which had been in existence for thirty years and were owing to the same causes—the habits of insubordination and improvidence; which bad laws had early introduced, and which the laws of tithe, grand juries, and vestry cess, tended to continue. Great pains were taken to connect these with political designs; for if the wishes of those enlightened men who wished to free the Catholics could be connected with such outrages, the best argument in the world for Catholic oppression, and the continuation of Protestant Ascendency, was found; but the connection was searched for in vain—it existed only to this extent, that the outrages were among the many evils which the friends of emancipation saw arising from the condition of the Catholics. The views of the rioters were

of the most narrow and unpolitical description. Each saw but the misery of himself and his family; and not being gifted with much political economy, they sought the most obvious practical means of relief—means which only brought additional burdens on them, as in the case of their countrymen, who were said to have tried to ruin a banker by buying up a quantity of his notes and burning them. A description of their proceedings by a magistrate of Westmeath, was laid before Parliament. He said—" The disturbances in this county appear to have commenced about the beginning of the year 1813, and have been rapidly increasing ever since; and, notwithstanding great exertions having been used, on the part of the magistracy, to check and subdue them, the persons engaged in these disturbances, styling themselves Carders commenced their outrages by attacking houses, robbery of fire-arms, and swearing the rabble to obey such rules and orders as should be dictated and pronounced by them. Their first object appeared to be that of regulating the price of ground to be set in con-acre, to prevent old tenants from being turned out of their farms, and to regulate the fees and dues payable to their own (Roman Catholic) clergy. To effect these purposes, they posted notices through different parts of the county, declaring vengeance against any person who should not comply with such, their lawless dictates. If a tract of land was to be set in a con-acre, these lawless miscreants would fix a price per acre upon it, and any person giving more, would certainly receive personal torture, or suffer some injury in his property." By such reasoning as the following, were these proceedings connected with the friends of emancipation:—" The persons combining were now obliged, for the attainment of their objects, to observe a great degree of caution, to maintain a strict discipline, and thus to qualify themselves to be dangerous engines in the hands of able and designing men, to be applied to other purposes." There is no doubt that these proceedings required secrecy, and secret discipline; there is no doubt that it put power into the hands of dangerous men—men of the cast of the rioters themselves, of the same origin and pressed by the

same wants; but equally doubtless is it, that this system of secret combination and riot, was the greatest foe that O'Connell and his party ever encountered; that it required exertion of every description—threat, entreaty, persuasion—to moderate it; and that it was only when the virulence of the evil was modified and subdued, that he acquired his vast influence over associations of his countrymen, whose acts were open to the light of day, and done in presence of the world and of the law.

In these circumstances, on the 23rd June, Mr. (now Sir Robert) Peel then Secretary for Ireland, introduced a bill "to provide for the better execution of the laws in Ireland, by appointing superintending magistrates and additional constables in counties, in certain cases." This bill gave the Lord-Lieutenant a power, when disturbances existed in any county or part of a county, to proclaim that district to be in a disturbed state, and thereon to appoint a superintending magistrate, and special constable. It at once passed. Encouraged by the alacrity of the House, another bill of a more coercive tendency was immediately introduced by the same gentleman. This was, to a considerable extent, a renewal of the insurrection act of 1807. It enabled the Lord-Lieutenant, on the representation of seven magistrates, to issue a proclamation, commanding the inhabitants of the district to remain within their houses after sunset, empowering two magistrates to try those who should be found abroad without good cause, and to transport them for seven years. Trial by jury was to be dispensed with if necessary—in other words, if convenient. This bill was passed with very little opposition, and was, from time to time renewed at convenience.

Thus was pursued a series of irregular measures, which, whatever pacifying effect they may have had at the time, have tended permanently to demoralize and disorganize the country, by teaching the people practical injustice, and urging them to make war against the laws. The people, for instance, were in the habit of looking on trial by jury as their right, and as much a constitutional right as the existence of Parliament

was; perhaps more so—for it came nearer to their own doors and was one of which, at that time especially, they saw more of the practical working. When the Parliament, therefore declared they should be deprived of the right of jury trial what would so readily appear, to them, as that the parliament was acting, not as a legislature, but simply as the enemy of Ireland? The Member of Parliament had his constitutional privileges; so had the Irish peasant; the former takes away those of the latter, and cannot, therefore, have his own much respected. When the law is weak, it puts itself in force by making war on the citizen, instead of punishing him. This is the case in all barbarous nations—it is their nature. Until civilization has reached a country, it cannot have a legislature making equal laws, and strictly enforcing them. In these nations then, the government fights against the citizen—the citizen frequently escapes punishment by his resistance; but, if he be overcome and caught in the toils of his enemy, then he will be punished as an enemy is, without any regard to justice. Such was the state in Scotland during the reigns of the Jameses. Offenders often defied the law; but, when they *were* overcome, the measure of punishment allotted to them was generally beyond all parallel with the crime.

The extension of such a system to Ireland, has, undoubtedly, tended to barbarize it, or rather to keep it in the state of barbarism in which the penal laws have left it. The government could not be at the trouble of giving every man who joined in a breach of the peace the proper punishment of his offence; therefore, it must, to save trouble and expense, punish every man who may be in the situation to commit a breach of the peace; and so a man might be transported for being out at night, no matter how innocent his occupation. Again, juries were found clumsy and inconvenient, and not expeditious enough; and so, instead of the jury system being reformed and carefully regulated, it was decided—as Ireland was a country not worth taking much trouble with—that it should do for a time without juries. This species of rough legislation has often been made use of towards Ireland

and, if we can judge from experience, each such enactment only leaves room for another.

During this period, and until the visit of George IV. to Ireland, little has to be recorded of the Catholics as a body. In 1819, some assistance was received from the liberal portion of the Irish Protestants. A meeting was held in the Rotunda, and it was determined that it should be ornamented by what Brougham calls the blossom of society—the peerage. The Duke of Leinster headed the aristocracy of rank, and the name of Grattan was among the aristocracy of intellect. The exhibition was more remarkable for the virulence of Orangeism which it called forth, than for any thing it positively accomplished. The mayor of Dublin took the chair. Immediately at the commencement of the meeting, an Orange alderman, heading a crowd of his faction—as large a one as could be procured, yet not enough to overwhelm, only capable of disturbing the meeting—called on the chairman to dissolve the meeting. This, of course, was resisted; but the secondary point, of raising almost inextricable confusion, was gained. It was in a great measure due to the firmness of Mr. Wallace, who charged those who moved for an adjournment with their proper term, of disturbers of a meeting with which they had nothing to do, that order was restored, and the intruders were compelled to retreat.

The visit of the king to Ireland in 1821, was viewed by the Irish Catholics as an event likely to be of paramount importance. It appeared to them as a forerunner of new hopes—as a visit of kindness and conciliation preparatory to some great act of justice worthy of a "royal" mind. We are accustomed to characterize the sanguine temper of the Irish by many superlative terms: but to those who witnessed the manifestations of the canny Scots," in 1822, it cannot be said that any effect whatever, on the minds of a nation, could be too extravagant to be attributed to the benign influence of the countenance of George IV. The whole country—Dublin its centre, in particular—was filled with royal glee. The hot discords of Orangeman and Catholic were forgotten, and Mr. O'Connell

shook hands with the corporation. So firm was the trust in the countenance of his majesty, that not a word of grievance was uttered during the visit. Like the Arab hosts, the hospitable nation would not disturb the placidity of the guest, by a hint of the evils which were gnawing its vitals. Mr. O'Connell and Mr. O'Gorman, at the head of the Catholics, proffered a testimony of the loyal devotion of that body. At length, the pageant passed off, and the amount of the royal beneficence was condensed into a letter to the Lord Lieutenant, in which he expressed his entire approbation of the manner in which all persons acting in civil and military situations in the city of Dublin and its neighbourhood had performed their several duties, during the period of his majesty's residence in that part of the kingdom. He instructed the secretary to say that the testimonies of dutiful and affectionate attachment he had received from all classes of his Irish subjects had made the deepest impression on his mind, and very kindly advised that every cause of irritation should be avoided and discountenanced, and mutual forbearance and good-will observed and encouraged. A piece of moral advice, not unlike the remark of a little princess of the same august race, who, when she heard of the calamities of the poor in one of the bad seasons, is said to have suggested, that they might surely save themselves from starving by being content with *spiced biscuits*.

A bitter disappointment is proverbial, as rousing new energies; such a disappointment, the Catholics had received. They had trusted themselves unconditionally in the hands of a prince, and met the usual reward of those that do so. He might have been frowned on by the hostile multitude, or impeded on his way by addresses; he might have seen on all sides, evidences of discontent, but the miserable tried to forget their wretchedness for a time, or at least strove to hide it, and the justly discontented left their grievances untold. The Catholics had now at least had enough to teach them the value of concession and submission, and two years saw the establishment of a different order of measures, from any previously attempted.

Previously to the arrival of the king in Ireland, a most singular scheme was concoted by a certain number of Catholics and Protestants, amongst the former of whom, was Mr. O'Connell, for the purpose of effecting what was called a conciliation of all parties, the foundation of which was to be laid at a public dinner to be given in honour of his majesty's coronation, and as he was then approaching the shores of Ireland, that on his arrival, he might behold his Irish subjects in a state of amity and peace with each other, For a considerable time, the Lord Mayor of Dublin, the staunchest of the Protestants, and Mr. O'Connell the staunchest of the Catholics, had been heaping upon each other the most virulent abuse, frequently departing from every courtesy which marks the conduct of the gentleman, and hesitating not at the adoption of any means by which the weakness of the opposite party could be exhibited. Now the storm was on a sudden to be allayed. The Lord Mayor was to keep the Protestants in order, and Mr. O'Connell, whose influence over the Catholics was paramount, specially undertook that no aggressive act should be committed by the Catholics. The union of all parties effected on the one side by a renunciation on the part of the corporation of degrading factious ceremonies, levelled chiefly at the Catholics was met, after considerable opposition from his own party, by Mr. O'Connell in the spirit of candour and peace on the part of the Catholics of Dublin, thereby consolidating the public feeling of the people of Ireland, and directing their combined energies to do homage to the king, in the hope of convincing his majesty of a political truth, uniformily disregarded by his then ministers, namely, that the confidence of a nation is easier acquired by reposing upon its affections, than by jealously watching and captiously controlling its spirit of action.

It having been resolved upon by a deputation of Catholics and Protestants that a conciliation dinner should be given, a meeting was accordingly held at the Royal Exchange, Dublin, for the purpose of choosing stewards, and making the other

necessary arrangements befitting so important an occasion The motion for the dinner was made and seconded by two Catholic gentlemen, Mr. James Conolly and Mr. O'Connell. Mr. Lawless proposed that the Duke of Leinster, as the premier peer of Ireland, should preside; this, however, was opposed by Mr. O'Connell, who said that as the dinner was to be given by the citizens of Dublin, the Lord Mayor as chief magistrate of the city ought to hold the first place at the dinner, and the Lord Mayor himself declared that he could never consent to compromise the dignity of the station, in which the kindness of his fellow-citizens had placed him. The Lord Mayor was accordingly appointed to preside at the dinner, and on the following day, the Lord Mayor and Mr. O'Connell were represented in a close fraternal embrace, the meaning of which, the Irish people could not understand, knowing the bitter animosities which had for a long time subsisted between them.

Mr. Shiel moved that the Protestant gentlemen to be selected as stewards, should be named by Catholics, and the Catholic gentlemen by the Protestants. This plan was adopted and amongst the gentlemen on the side of the Catholics were Mr. O'Connell, Mr. Shiel, and several other eminent men of the Irish bar. At the close of the meeting, Mr. O'Connell congratulated all who were present and the country at large on the harmony, which had now been so happily completed. He looked upon this day as most auspicious, and he trusted that no unhallowed hand would at any future time attempt to dis-unite the people of Ireland, The example of the metropolis, he hoped, would be followed by the provinces. He concluded a concise and animated address, by moving that an anniversary dinner should be henceforward held on or as near a day as convenient to the 19th of April, being the day appointed for the celebration of his majesty's birth-day. This resolution was carried by acclamation, the manner in which it was carried into effect, will be seen in a future part of this memoir.

The conciliation dinner was held on the 1st of August, and

amongst the 300 noblemen and gentlemen, who sat down to dine, it was remarked that the Catholics far predominated To enter upon a detail of any of the speeches on the occasion, would be only to fill our pages with a sickening mass of fulsome personal eulogium, and an hyperbolical exaltation of the character of certain individuals to which the world knew that they possessed no positive, nor even a partial claim. That spaniel that genuine lick-spittle of royalty, Sir Benjamin Bloomfield, who like the jackal, had preceded his royal master and patron to cater to his love of pomp and show, was designated as the *distinguished* stranger, and on his health being drank, the band struck up "Welcome here again." A few leaves from the Chronicles of Carlton Palace would be amply sufficient to show for what he was *distinguished,* and it scarcely amounts to a question, whether if it had not been known that he was one of the satraps basking in the sunshine of royalty, the good Irish people could have found any thing about him, for which they would have welcomed him to their country. However, it fell to the lot of Sir Benjamin to propose the health of the stewards, on which Mr. O'Connell rose to return thanks. He said that he was sincerely sorry that there was no voice but his to reply in fitting language to the *distinguished stranger*,* who proposed the toast. His (Mr. O'Connell's) heart had its rich reward that day in the attainment of unanimity amongst all classes of Irishmen. In sorrow and in bitterness, but with the

* This distinguished man, was of the lowest possible extraction in Ireland. By the possession of an uncommon portion of impudence, rather natural to a particular class of his countrymen, he made his way as a menial into the household of the Prince of Wales. Ben Bloomfield was an adept at the violencello, with the strains of which, he so enraptured his royal master, that step by step he ascended to the post of privy purse, and thence, as Lord Bloomfield to be ambassador at Stockholm. My Lady Bloomfield (God bless her for her virtues, is saddled upon the nation as a pensioner, in the important and laborious office of Ranger of Hampton Court Park, and if Mr. D. W. Harvey had been fortunate enough to have carried his motion for an inquiry into the nature of the services which the royal and noble paupers on the pension list have rendered to the country to entitle them to the pensions paid to them by the people of that country, there is perhaps scarcely one, whose services would have been more amusing and edifying than those of Lady Bloomfield.

best intentions, he had for the last fifteen years ineffectually laboured for his unhappy country. One bright day now had realized all his fond expectations. Next to the gratification of the present scene, was the expected arrival of his majesty. *He had ever been the friend of Irishmen,* and he came here of his own free accord, and not with the advice of his ministers. The sound of his footsteps came before him, proclaiming unanimity and peace. On this occasion, the Protestant was as ready to meet the Catholic, as the Catholic was the Protestant, and surely from a prince, who had declared that the crown was only kept in trust for the benefit of the people, every thing was to be expected. His majesty had committed his health to the care of an Irishman; and *many of his select friends are Irishmen.** It was said of St. Patrick that he had the power to banish venomous reptiles from the isle, but his majesty has performed a greater moral miracle, the sound of his approach has allayed the dissensions of centuries. His majesty had long witnessed the pernicious effects of those feuds which have distracted the country. He has taken a *judicious and proper estimate of the Irish character. From his youth he has been surrounded by* Irishmen. He knows their national peculiarities; he knows their ardour and fidelity, he knows that however easy their notions may be on other points, they are obstinate upon what they consider points of honour. He saw much of the ill temper prevalent among our parties arose from mistaken views from pertinacity in maintaining certain opinions, and maintaining them too, with the characteristic heat of the country. Of the ill effects of these dispositions, his majesty must have had frequent experience. He had only to read the history of the country to feel their effects, it was a divided country. His majesty in his beneficence and wisdom, resolved that hereafter, Irishmen should be united in one sentiment of

* This was rather an unhappy allusion of Mr. O'Connell. The names and characters of the friends of George IV. are well known to the English public. England and Scotland are ashamed to acknowledge them as belonging to the soil, and we can assure Mr. O'Connell that the people of this country are not much indebted to the Irish friends of George IV. when Prince of Wales, for their active and successful cooperation in rendering their royal companion one of the most accomplished profligates of his age.

attachment to their common country, and that attachment pre-supposes, and confirms the deep and unalterable attachment to his royal person.

" His visit, his very approach have already accomplished that. He will be met on the shores of his kingdom by a united, a grateful, by a brave and loyal people. They have given all their animosities to the winds; they have exchanged the calumet of peace and pledged the cup of brotherhood. For the first time in their history, they are united and loyalty is the basis of their union.

" How delightful would it be to the heart of a patriot and benevolent king, could he witness the present scene. *How his bosom would glow to see his subjects happy at his approach,* and vyeing with each other in the manifestations of attachment to his sacred person. It is, indeed, a scene which must delight every unsophisticated mind. It is not a common one, such a scene never occurred in Ireland before, I doubt much whether such a scene has been witnessed any where. The functionaries of his majesty's government; the opposers of his majesty's ministers; the assertors of ascendency; and the agitators of the people, all have met at the social board, and learned for the first time how easy it is, while they maintain their principles, to sacrifice their prejudices."

The foregoing may be considered as the essence of Mr. O'Connell's speech, and although imbued as it is with the spirit of conciliation and amity, yet we should do wrong to his good sense and penetration, if we did not believe that he was hurried away by the enthusiasm of the moment from the consideration of what was real and true, to sport in the more inviting fields of hyperbole and fancy. Fashionable and universal as the custom may be to eulogize kings in speeches, and to depict them as the pattern of all that is great and grand in human nature, we cannot lay such a heavy tax upon our credulity for a moment as to believe, that Mr. O'Connell could for a moment entertain the opinion, that the aim of the visit of George IV. to Ireland, had any or the slightest reference to the conciliation of the hostile parties in Ireland, or

that, when he determined to exhibit his person to his Irish subjects, the benefit, or advantage which might accrue to Ireland from his visit, had the slightest share in the resolution which he had formed. As to a proper and judicious estimate which he had made of the Irish character, from what data does Mr. O'Connell draw that conclusion? the only estimate with which, consistently with our knowledge, he ever troubled himself was that of the expences of *pulling down and building up*— of the importation of French and other foreign gewgaws, of Dutch pictures with brass kettles, and the difference of the expence of maintaining a prostitute of right noble blood, and one of plebeian. As to estimate of characters whether individual or national, he could not have known any thing about it, he never could have condescended to make it his study; the associates by whom he was surrounded are a proof that he could not possibly have formed any estimate of their character; and the unparalleled extent of his debaucheries and profligacies were an unerring demonstration that he knew nothing of the English character, or he would not have given such an unequivocal example of a direct departure from it. Could Mr. O'Connell believe for a moment that in the resolution which George IV. formed to visit Ireland, it had the slightest reference to the dispute between Protestants and Catholics, or that he entertained the hope that his presence would put an end to their strife and contentions. It was the direct spirit of vagabondizing that led him hither with no other ulterior view, than according to the advice of his physicians to disgorge by sea sickness from his stomach a mass of bile which his epicurean mode of life had engendered; to know his bolstered person the object of the admiration of a gaping, staring, wondering crowd, and to listen to the vapid effusions of loyalty and love of his sacred person, for which, as became a king, he expressed the sense of his unbounded gratitude, a virtue, in the breast of a monarch as rare as chastity in a brothel, or humility in a bishop. Mr. O'Connell speaks of his majesty *reading* the history of Ireland, and thence acquiring a perfect knowledge of the character of the people, their dispositions, and the causes of their

dissensions. Who informed Mr. O'Connell that George IV. ever arrived at the knowledge of Ireland or any other country by *reading?* We know the *kind* of books he was wont to read, and they had as much relation to Ireland or to Irish affairs, as the New Testament has with the discovery of the North-West passage, except that in some of those books, the *affairs* of the Marchioness of Conyngham were now and then touched upon and from which, as her noble husband's family are Irish, he might have arrived at some knowledge of that particular part of Irish history. It certainly was, according to Mr. O'Connell, a wise resolution on the part of his majesty—"the blessed effect of his great beneficence and his unbounded wisdom, that hereafter Irishmen should be united in one sentiment of attachment to their common country, and that attachment pre-supposes and confirms the deep and unalterable attachment to his royal person." It was a wise resolution, we repeat it, on the part of his majesty; but it is with kings, as it is with persons of a more plebeian cast, the forming of a resolution, and the carrying it into execution, are two very different things. Irishmen certainly "were united in one sentiment of attachment" as long as the beams of the sun of royalty shone upon them, but they had no sooner disappeared beneath the horizon of the Irish Channel, than the bond of attachment immediately broke, and feud, dissension, strife, murder, and rebellion overturned at once and set at nought the royal resolution. It was, perhaps, natural in the moment of enthusiastic excitation for Mr. O'Connell and others of the leading characters of Ireland to see in the king's visit to their country, a specimen of that high and noble patriotism which impelled a Peter of Russia, for the benefit of his country to work as a common shipwright in a Dutch dockyard, but was it patriotism which led George IV to Scotland with Sir William Curtis in his train, who made a fool of himself with his kilt and phillibegs? was it patriotism which sent George IV. to Hanover to dance a waltz with the frau of the burgomaster of Hanover, and to be stationed behind a tree, so that he might shoot the hares that were driven past him, but from which he himself was driven by an old in-

furiated wild sow, who not having the fear of a king of England before its eyes, rushed plump against the Lord's anointed, and England would have had to bemoan the loss of her beloved monarch, if the hunters had not laid prostrate at his feet, the daring and disloyal brute. Was it then patriotism which led him to Ireland with his pal, Sir William Curtis again in his train, the counterparts of Hal of libertine memory, and the incomparable knight of chivalry, Sir John Falstaff. All the actions of kings are said to be founded on patriotism, wisdom, beneficence and virtue, but whatever portion of patriotic spirit George IV. might have evinced in some other actions of his life, which may be compared to angel's visits few and far between, it is certain, that the Irish people were wrong in their calculation, when they alleged that it was the patriotism of George IV. which led him to their country.

On the 17th of August, the king entered Dublin amidst the enthusiastic acclamations of all classes of his Irish subjects. No lamentation of grievance, no petition for redress was heard during the whole of the royal visit. Every thing looked happiness, harmony, and good order. The Catholics with a temperance (it has been given a worse name) that was the astonishment of all Europe, refrained from the slightest allusion to their oppressed condition. Mr. O' Connell and Mr. O' Gorman were the first to proffer, at the head of the Catholics, their unbounded devotion to his gracious majesty. Every where was he hailed by popular enthusiasm as the extinguisher of faction, the healer of religious discord, the harbinger of future grace, the father of all his people. The lying chronicles of the day proclaimed aloud that these manifestations of affection made a deep impression on the royal heart, whereas common reason tells us that that which is impervious, cannot possibly have any impression made upon it. The same hyperbolical journals, in the plenitude of their falsifying spirit proclaimed that he pressed the national symbol to his breast, in the same manner as a vampire presses its victim, to the bo-

som, which means to destroy it—that he, with hypocrisy on his tongue, assured his faithful and loyal subjects of Ireland of his unalterable affection, of his undeviating protection, and by way of a climax, that he left their shores *in tears*, overpowered by the acclamations of "his faithful people." A monarch in tears, and such a monarch as George IV. was, must have been a most rare sight to the people of Ireland, and especially if those tears were drawn forth by the sufferings or the oppressions of his people. He never shed them for the sufferings of his English subjects, and, therefore, it must have been a phenomenon in the annals of his reign, that he should on a sudden have been so given to "the melting mood," as to shed his tears, because the noble-hearted Irish in the fulness of their enthusiasm, hailed him as their deliverer, whereas, in fact, they ought to have looked upon his appearance amongst them, as more the effect of an hour's indigestion, when all the splenetic humours were afloat, and the imagination ran riot in the formation of schemes, which Don Quixote only could have surpassed in extravagance and folly. Nevertheless, he had his agents around him, who were willing to obey his royal commands, no matter to what those commands referred, whether it was to delude an oppressed nation with promises, which were never intended to be fulfilled, or to express the sense of his royal gratitude for the nauseating flattery with which his truckling minions bespattered him. To Lord Sidmouth, the pious, the conscientious Dr. Addington, whose name will stand blasted with infamy, whenever the bonds are mentioned, which those phenomena of morality and virtue, George Prince of Wales, Frederick Bishop of Osnaburgh, and William Duke of Clarence entered into for the payment of one million of money, which they never intended to pay at all: to this Lord Sidmouth was it commanded to address a farewell letter, full of excellent counsel to the Irish people, which may be looked upon as the counterpart of the gracious conduct of another scion of the same royal branch, who being asked to relieve a meritorious family in distress, considered that he had acted up to the fullest spirit of royalty in giving them his—advice.

Such was the farewell letter of Lord Sidmouth, it gave the Irish people advice; of the actual redress of their grievances, it said not a word. It recommended that, which was impossible, a very appropriate recommendation from a monarch. It advised peace and union, but upon what manner those desirable events were to be brought about, not an intimation was given. The Sidmouths were in office, those antidotes to every thing that was enlightened or liberal; in vain was the eloquent tongue of O'Connell heard from Cape Clear to the northernmost point of the island, he even for a time forbore to tell his countrymen of their grievances—for *once* he relied on a royal promise. In despite of all past experience, the Catholic body were for a time deceived. They clung for months afterwards to the wretched delusion, they had listened to the voice of royalty, and they found it was only that of a baneful wizard luring them to their destruction. The eye of O'Connell was however upon them—he had it is true, offered the calumet of peace in the name of the Irish Catholics. It was most *graciously received*, but O'Connell was not perhaps courtier enough at the time to see that the "gracious reception" of royalty is but another word for contempt. In his person, he was promised the redress of all the grievances of his Catholic brethren and that promise, like the oil thrown upon the waves, for a time smoothened the fury of popular emotion, and the aurora of a brighter day shone upon the hitherto benighted people of Ireland. But still no change took place—the patriot king of England had returned to the palaces of his fathers, to his sycophants and his prostitutes; the men, who had coerced Ireland, who had ruled it with the iron rod of a Timos, were continued in office; the same destructive and uncompromising measures were pursued by the same men, who as men were insignificant, who as politicians were impotent. Nothing was done to raise the Catholics; nothing was done to depress their enemies. The letter of the king, a mere state engine to hoodwink the people, was regarded as a mere idle proclamation to suit a temporary purpose. The Protestant laughed at the credulity of the Catholic, and with the habitual scorn in his

brow, resumed his ancient ascendency; the Catholic ashamed and indignant at the deception, sunk at once into his former lethargy.

These disappointments, but much more the discord, which had been bequeathed by the veto quarrel, and the weakness which ensued on the secession of the aristocracy, kept the Catholics for some time longer altogether sunk in this miserable state of despondency. They felt they had been duped and debased, and the consciousness of their feebleness and degradation closely adhered to them. All meetings ceased, the very voice of complaint was scarcely heard; a universal torpor prevailed; every one seemed to have despaired of his country. It was then, if ever, since the formation of their committees that the Catholics had attained that perfect state of temperance and moderation, which has been so frequently recommended to them by friend and enemy. Nothing contributed to break it for two entire years; neither petition, nor remonstrance, nor speech, nor assembly of any note was heard of. The entire body seemed to have relapsed into their ancient sluggishness, and to have surrendered their cause to the arbitration of blind chance or the choice and convenience of their enemies. It was a wretched and successful policy. Nothing was demanded, and nothing was given, the gentry continued degraded, the people continued oppressed. It was made clear to the capacity of every man, that something more than mere passive submission to injury was requisite to work out the liberation of a country. It was made clear that nothing, but that prevailing cry, which goes up from members bound indissolubly together by the same invisible and invincible chain, the *idem velle*, the *idem nolle*, the *idem sentire de republica*, was alone capable of plucking down from the grasp of the ascendency, the rights of an oppressed people. But many days passed before the great work was attempted; it was a strange concurrence of circumstances; it was almost an accident, which suggested it.

The grand defect of all previous efforts had been the constant absence of every arrangement, which could embrace the people; the manner in which the committees had been con-

stituted was indeed popular; the members, as we have seen, were directed to be chosen at meetings of the parishes, but this was a mere dead letter; in general, the choice was left to the gentry themselves. The people beyond their occasional attendance at an aggregate meeting, seemed to take little interest in Catholic affairs. Not indeed, that they did not fully feel the grievances which oppressed them, but that they attributed those grievances to an erroneous cause; they did not trace the waters of bitterness to their spring; they feebly attempted to dam out by local resistance the sweeping tides, and sent them only from their own lands, to the lands of their neighbours. The people were therefore in the first instance to be instructed in the true nature and the original causes of their wrong; this instruction was to be judiciously communicated, and the results brought to bear in mass against the common oppressions of the country. A plan, which could fully effect this, and at the same time even back the aristocracy, and reconcile them to the pretensions of their former antagonists, the middle classes of the community, had some chance of finally achieving the emancipation of Ireland. But to conceive such a plan, and still more to reduce it from theory to practice *required a mind of very peculiar temperament.* It required the ardour of youth and the sagacity of age, a nature which could delight in obstacle, which could draw strength from opposition, which could triumph over time and defy delay. It required a man who feared, if not respected by the aristocracy, applauded by the citizens, should be idolized by the people; a man who could touch with a spell most congenial to each, all those adverse and oftentimes conflicting notions. It required the audacious disdain of secondary considerations, the adventurous spirit of a fanatic; the intrepidity of a successful commander; the deep insight into his materials and resources of an experienced general. It required a man, who could view Irish interests through Ireland, who essentially Irish himself, knew where the national heart really lay, and could bend or drive it to every purpose; a man, the reflection of the men on whom he had to act; the representative of their feelings, the organ

of their desires, the speaker of their passions, and the reckless flatterer at times of their prejudices, with an eloquence, not of the schools only, but of the fields, not for one class, but for all; a man doing what he recommended, and completing in the tedious details of the committee, what he had impetuously and often imperiously carried in the debate. Such a man, happily for the freedom and safety of the country, existed. Such a man was Daniel O'Connell; he had the fortune to conceive, and the resolution to execute. The Catholic Association arose before him.

But the resurrection of this body, which called so soon together, as in the version of the prophets, the scattered bones of the former association; a body strong, portentous, powerful, with sway which might be turned with the same facility to blessings and to curses, was not so suddenly accomplished. The spirits were, indeed, called up from the vasty deep, but they did not so soon obey the bidding when they *were* so called.

Mr. O' Connell and Mr. Shiel met, by accident, in the year 1823, in the house of a common friend, among the mountains of Wicklow: and there it was resolved to make a brave attempt to rouse the feelings of the Roman Catholic people of Ireland. Accordingly, they prepared a circular address, which was sent to some of the most influential gentlemen of their body. The success of this attempt was, at first not very flattering; the call was answered by few. Out of those few, however, who did respond, was formed the Catholic Association. Rules and regulations were framed, of which the essential parts were that the Association was "formed to adopt all such legal and constitutional measures as may be most useful to obtain Catholic emancipation. That the Association is not a representative or deliberate body; and that it will not assume any representative or delegated authority or quality; and that such individuals as shall give in their names to the secretary, and pay an annual subscription of £1. 2*s.* 9*d.* be members." The following account of the first meeting of the Association, so formed, is taken from the *Dublin Evening Post;* its insignificant length, and the little attention apparently paid to the

RICHARD SHEIL, ESQ.

Drawn by T. Patterson Smith — Engraved by R. [illegible]

infant institution by any one but O'Connell, are its most remarkable characteristics.

" CATHOLIC ASSOCIATION.—Tuesday, a meeting of the Catholic gentlemen was held at No 4, Capel Street, for the purpose of forming the deputation to present the address to his majesty, pursuant to a resolution entered in at the Aggregate meeting, held in Townsend Street Chapel on Saturday; and for the purpose of forming a committee, to make such arrangements as might be deemed necessary, relative to the Catholic Association.

" At half-past three o'clock, Lord Killeen was called to the chair.

" Some conversation ensued as to the expediency of limiting the number of gentlemen who were to compose the Association.

" Mr. O'Connell expressed himself decidely hostile to a measure of that kind. The crisis was momentous. The rancour of the faction was hourly gathering strength. The assistance of all was necessary to repel its efforts to plunge the country in anarchy and blood. Numbers would give weight to the Association, and assist in more generally diffusing its beneficial influence throughout the country.

" It was resolved that a committee of eleven should be appointed to frame regulations, and to make a report on Thursday the 22nd instant. The following gentlemen were then named:—

" O'Connor Don, Sir Edward Bellew, Messrs. O'Connell, Nicholas Mahon, Eneas M'Donnel, Richard Shiel, R. Lonergan, Callaghan, Scanlan, Oldham, and Hayes.

" Mr. O'Connell proposed that a deputation be formed of Catholic peers, the sons of Catholic peers, baronets, the sons of baronets, and a considerable number of gentlemen.

" Mr. Eneas M'Donnell approved of the order in which it was proposed to form the deputation. The appointment of the peers was almost of course; but there was one peer whom he considered entitled to a more particular and prominent distinction. The merits of that nobleman obtained for him the

highest station in the Catholic body. The nobleman to whom he alluded was the Earl of Fingal.

"Mr. O'Connell moved the resolutions, pursuant to the amendment, that the deputation consist of the Right Hon. the Earl of Fingal, attended by the Catholic peers, sons of peers, baronets, sons of baronets and several gentlemen. The resolution was then put and carried unanimously."

Considering that the origin and progress of the Catholic Association may be regarded as one of the most important circumstances in the life of Mr. O'Connell, we shall give the history of it in the words of one, who was well acquainted with all its motions and operations.*

* Tait's Ireland and O'Connell.

CHAPTER II.

On the 25th of May 1823, thirteen persons met in a bookseller's house in Capel Street, Dublin, to consider the posture of the Catholic question: this was the future Catholic Association. There, in two little rooms—which were of that construction, that those sitting in one could not see, though they might hear, the persons in the other—were held the first meetings of an assembly, which, in its origin, progress, immediate results—and, far more, the influence of its example—stands out as one of the very foremost events in civil history. It is modern, it is Irish, it is Catholic—three circumstances which may cause some to dismiss the subject with contempt; but those persons may assure themselves, they have taken a poor measure of the direction of the age, they are very young in the great study of interpreting the future from the voice of the past, if they do not diligently and carefully weigh the causes that produced and again absorbed that singular assembly. To the statesman, it is of deep instruction—to the metaphysician, it furnishes matter for the most interesting speculation—to the ethical philosopher, it is a storehouse of important laws and maxims—to the people, of whatever country or age, it is a glorious example. The friends and enemies of freedom are alike interested in tracing the means by which liberty was won from the opposition of a powerful party, headed by a haughty king, who resented political resistance as a personal insult, and backed by the inert but enormous mass of the prejudices, ignorance, and fears of a great nation, deluded, for a time, by the circean draught of corrupt blandishment, misrepresentation, and falsehood, which the church and the oli-

garchy had offered to it, in the plenitude of their fornications. From what beginnings proceeding, the Catholic Association embraced nearly all Ireland, by what policy and instruments it formed the extraordinary organization that drew the eyes of the whole world, and some of the more obvious results of its example will be traced with as much compression as the extent of the subject will permit. At the same time, the objections made to similar national combinations will be examined.

"E parvis initiis magna momenta.

This principle is nowhere so forcibly delineated, and its truth so practically proved, as in tracing the history of Catholic Ireland, from the year 1823 to 1829; but, for the elucidation of matters, it will be necessary to look back, before we lay open the proceedings of the Catholic Association in that interval.—For three centuries, "Ireland," as Grattan beautifully said, "may be tracked through the statute-book of England, like a wounded man by his blood." Curfew bills—coercion-laws—dungeons, chains, and gibbets, were in the amplest requisition. The people, goaded to the heart by keen and incessant tyranny, assumed the melancholy determination of men who had no resource but in the madness of despair. Tithes were the fountain of all their bitterness and distress. They expostulated with the Minister; but they were answered with laws calculated only for the meridian of Barbary. Murder, in the ermine of the law, and justice, with the statute-book in one hand, and the dagger in the other, passed triumphant through the land. Grattan made his indignant and eloquent appeals, not unheard, but unnoticed. The Catholic Convention was established, and dissolved without effecting any permanent good. Pitt cajoled the Catholics, and afterwards betrayed them. They were, however, increasing in numbers and power. Their claims were repeatedly urged in the British House of Commons, and as often rejected; but the time was coming to mould them into a powerful people: it came—and they communicated a national sacrament at the national altar, and formed a solemn league from one end of the island to the

other. The Catholics had reached that extremity of depression which generally announces an improvement of fortune. For two years before, there had not been even a petition presented to Parliament. The name of agitation was detested. The aristocracy had shrunk back into that dull repose of servility, which they attempted to veil under the name of moderation and dignity. The mercantile interest shared in their conduct; and the people, left without hope, kindled the fires of insurrection. Government was employed in forging new chains. Special commissions swept the country, and sought to cure, by sanguinary depletion, the national debility. It was in this state of things the Catholic Association was formed. We have heard O'Connell himself state the circumstances of the first day of its existence. One of the rules required ten persons to form what, in Parliamentary phrase is called a House. Such was the deplorable apathy, that, for two or three previous Saturdays, the meeting had been dissolved, the requisite number not being present. On the day alluded to, it was nearly three o'clock, the hour of counting; and no more than eight persons were in the rooms. There was a law which made clergymen of all persuasions, *eo facto*, members of that Association. Mr. O'Connell ran down into the shop; he found there four or five students from Maynooth, who had just received orders, and asked them to come up to form a meeting. They hesitated, refused; and he pushed them up stairs. The thing began. Mr. O'Connell drew up the report of the rent. Orange processions had lately trampled, as usual, on the north of Ireland; two or three Catholics had been killed; a servile war was raged in the South, a smothered discontent and active misery through the whole kingdom. He set before them all the advantages of the rent; he proved it the lever of justice and relief; and subscribed for all those of his family then in Ireland. The next Saturday, several persons attended; a few subscribers appeared; the rent existed; there was a discussion —and the Association was on the waters. The want of a Treasury had been felt. Petitions cannot be got up without expense. Agents were necessary to refute the calumnies with

which the press swarmed; but the bold scheme of a National Treasury was formed. It was resolved to raise a revenue. The Association was to supply the place of Government to the people; it was to protect them—to procure justice for them—to coerce every species of delinquency—to establish a system of education, and encourage a liberal press. The subscription to the Catholic Board was five pounds: that to the Association, only one. Here was an improvement: but the grand stroke of policy was the contribution of one penny a-month. This was the Catholic Rent.

Thus, in 1823, appeared the first dawn of political and religious liberty. From that period to the enactment of the Emancipation Bill, no country in the world ever exhibited such a civil phenomenon—never were such mighty results produced from means so seemingly inadequate to the end. Ireland deviated from the example of other nations in recovering her liberty; and became, in turn, a glorious model to such as would achieve a similar victory. Trusting to the justness of her cause, and with a steady virtue, she enlarged the sphere of her action; and, with assertion—national re-assertion, she cried—"Liberty with England—but, at all events, Liberty!" The logic of Goulburn was but a poor match for the skill and caution of O'Connell; and the unheeded denunciations from St Stephens were drowned in the angry thunders of the Association.

This body has no precedent in history—it contains in itself both the principle and precedent: of gigantic magnitude in numbers and influence—daring and baffling, by turns, all the vigilance and vigour of succeeding and close-observing administrations—it arose from a begining unostentatious and unobtrusive. It has been well said that "the idolatry of love produces, or provokes the rancour of opposition;" and as this body has been as much reviled by its enemies as loved by its friends interested only for the truth and candour of history, we shall proceed to develope it from its commencement. It is a subject neither unimportant nor uninteresting—it contains one of the proudest chapters in the civil history of Ireland, and has

contributed to give one of the most brilliant on the historic rolls of England. The Political Unions—the hardy offspring of the Association—worked the vessel of Reform into the haven of liberty.

The leaders of the Association had two objects in view—to attach the people to themselves, and defeat the Government. The first was to be effected by rendering actual services to the people, by giving them that protection, which Government was established to afford; the second, by a merciless exposure of the system upon which the Administration acted. All classes were aggrieved—to all, the prospect of redress was held out, and the wisdom of the course proposed for that purpose demonstrated. Men naturally looked to the body which really extended to them the advantages of government. They smarted under insult—it promised to remove it. They complained of general distress—it took the honest and rational modes to national prosperity, by extinguishing national dissensions. Former Boards had failed, because no direct interest was offered to the people. The fault was now completely avoided. Protection of the people was the great object. If an Orange magistrate was guilty of an oppression, the facts were instantly investigated, and a lawyer and attorney sent to bring him to justice, If a Catholic was killed at any of those unfortunate processions in the north of Ireland, the execration and contempt of civilized Europe were poured out by the Association upon the head of the government which upheld this murderous system; but, at the same time, lawyers and reporters were despatched to the place of trial; and though justice might not be obtained, the feelings of the murdered man's children or brothers were soothed by the sympathy of their country. If a judge, placed formerly on the Bench for his Orange principles and ignorance of law, attempted any species of oppression, the torch of exposure was at once held up to his conduct by the Association. A petition also was presented to Parliament, and the talons of Brougham were soon in his body. These efforts were not confined to individual concerns. General abuses were dragged, notwithstanding their struggles, into

the light of day. The corruptions of religion and justice were demonstrated. Oligarchical rapacity was assailed in all its forms of plunder, whether tithes, grand juries, or church cesses. The hand of jobbing was seized in the pocket of the people—it was caught in the fact, and held there until the world saw it. The whole system, with its brood of insurrections, midnight outrage, and murders, was exposed. Accordingly, the people, who are subjected by their condition to the far severest form of this government, rushed round the body that they felt took the proper course for the removal of the manifold political, social, and religious oppressions that smote them. Placed on the very edge of the great wheel of subsistence, and, therefore, exposed to the strongest repulsive force, it requires but a slight jar in the revolution to fling them off altogether, and leave them to be crushed by the machine. Long, regarding Government as their enemy, the moment the Association shewed the will and power to protect them, they took their allegiance and placed it in its hands. It was with unmitigated astonishment the world saw those excluded, by express statute, from power, possessed of all the real power of the kingdom, obeyed with a promptitude that the most iron despotism could not produce and levying taxes, that were paid with a zeal which confounded the Chancellor of the Exchequer. They saw men, incapable of some of the meanest offices in the state, launching the undiminished thunderbolt of its authority at the head of every oppression—sucking into the centre of a mighty organization the, whole of Ireland.

The strength of Government was withered. Its throne in the affections and respect of the millions—of which the material throne is the mere, and not very permanent type—was occupied by another. Notwithstanding some instances of the precipitation and want of decorum, incident to a popular assembly, which marked its rival, there was yet such a fine display of judgment, evidenced by the desired results—viz., the perfect concurrence of the people in the measures of the Association, and the almost unbounded extent of its authority—that the deliberations of Parliament began to be subjected to

comparisons which were not likely to redound to its credit, while it made the most childish complaints that the forms of its committees were stolen—as if the assumption of these forms would not have been truly ridiculous, but for the power to which they adhered.

The next step was to shame the Government—to render it impossible for any prudent, pious, or honest man, to place confidence in it. This was done simply by detailing its conduct Government sought every means of quarrel. It sent its reporters from London to the Association. The proceedings were read every morning by the Attorney-General; but as Government could not avow that the statement of truth was injurious to it, the Ministry licked its chops in vain. Meanwhile, the ground was cut from under its very feet, without the means of resistance. Its incapacity was demonstrated to the world. The gross and wicked perversion of the ends for which it was instituted were shewn. A legislature, sacrificing the majority to the minority, violating the rights of conscience, robbing, oppressing, and insulting in the name of God, could not stand comparison with a body that only demanded impartial justice and the liberty to worship God according to their consciences. The diviner feelings of men were awakened. The great names of freedom and honour were on the side of the Association. The unjust measures of Parliament were contemptible beside those of its rival; and the star of its oratory grew pale before the volcanic blaze of an eloquence fed by the feelings of seven millions. The very partisans of the ministry grew ashamed of it. It was vain to calculate on its instruments. They would not butcher their fellow-creatures for its pleasure. A noble contagion reached the army; and the very chance of a contest, as soon as that became ascertained, was at an end.

The general shame and contempt were not confined to home, they spread abroad, but under a different form, and deeply wounded the British character. In almost every quarter of the globe, the oppressions of Ireland became the subject of discussion; and as their gigantic figures rose round the crater of the Association, the name of England was made the sub-

ject of scorn and open contempt. In France, Austria, Italy, Germany, in the United States, Canada, South America, the Colonies, and India, the most humiliating allusions were made. Even at an official dinner in Mexico, Mr. Ward, the British Consul, was taunted with the conduct of his country, and compelled to protest his individual condemnation of it, while he censured the introduction of the subject in such a place. The glorious characteristic of England—her freedom—was decried. There was not a country of the new or old world in which an Englishman durst talk of English liberty "Look to the Irish Catholics," was the answer. Foreign despotisms exulted at the extinction of that quality which had raised us above the rest of the world; for, take away our liberty, and what are we? In commerce itself there is nothing dignified, abstractly considered. It is the science, the enterprise, the courage—all the fruits of liberty—that shape the honourable character of the British merchant, and convert the trader into the civilizer and benefactor of mankind. As our wealth, so do our strength and glory arise from our freedom. What but the fine free spirit of the people has created our armies, before whose unconscious independence even the chivalry of France has gone down!—What constitutes the glory that, for a "thousand years," has illumined the British flag, and kept it so long afloat over the ark of human liberty, and, consequently, of virtue and happiness—that, in the veins of every free state, at present existing, the blood of our example and spirit runs—that, by reflection from us, arose in the west a noble luminary which, in its turn, has become the parent of glorious systems!

It having been decided, upon a most profound view of society, that opinion and *passive* resistance were to be the means of change, all was modelled in accordance with that principle. There was no contrariety in the end or the means—a system, the essence of which was publicity, was unanimously adopted; the proceedings were not only open, but made open; they were forced on men's notice, and courted attention in a diversity of ways; every thing secret, every thing anonymous, was repudiated:—it was driven forward, by letter, by pamphlets, by books, but above all by the

the combined energies of the press and public meetings. The *Morning Register* was established—the first example of a regular reporting establishment in Ireland. Next came the *Freeman's Journal;* at that period not so efficient as the former, but afterwards as powerful an advocate as popular liberty ever had in this country. The *Evening Post* devoted its columns and excellent talents to the cause. We believe, too, some able documents were drawn up by its editor. The provincial press was filled with the debates of the Association. England, at length, began to be heated by the mighty conflagration. Either for approval, which was rare, or for haughty condemnation, the London journals quoted the speeches, commented on them, and, as they grew in importance, sent ther own reporters to Ireland. Thus, a thousand mirrors were held up to the Association. It was of no consequence whether the comments of the London journals were condemnatory or not: they produced attention; and few came within the eddies who were able to extricate themselves. Men began by furious oppositions, and concluded their denunciations by becoming attached to the body; it was impossible to tear away the poisoned shirt—the nails and pins of prejudice were drawn out by the irresistible attraction of justice. The cause was so plain—the system opposed, in principle so monstrous—in practice, so full of cruelty and danger—that it only required exposure. In the bosoms of Orange families the seeds of the Association were sown; the young men, in the spring-tide of that honesty and generosity which belongs to youth, felt the finest strings of the heart vibrate unconsciously to the "sweet influences of liberty." An internal revolution was effected: and, had not this been checked by the first suppression of the Association, in our opinion, the two great parties—if we may call one containing seven-eights of the kingdom—might have then been easily welded together.

The next great part of the system of general discussion, and one that was attended with considerable effect on the Association itself, was the meetings that were constantly holding through

the country—the provincial, the county, and the parish meetings. The subject was thus held firmly before the eyes of all; habits of co-operation were formed; and there were dispersed, by each of those occasions, hundreds of zealous preachers of the authority of the Association, If they were the medium of communicating the influence of that assembly to the people, on the other hand, they transmitted the influence of the people to the assembly. Though, in one view, no more than ramifications of the Association, flying camps from the capital, yet, in another, and that of great consequence, they possessed an independent function and organization, which secreted a noble spirit, and supplied the veins of the national Parliament. If the reader has looked at a thunder storm, he may observe, in the centre of the heavens, one enormous black shield: towards this, from all quarters of the sky, are stretching small jagged clouds, which serve as stepping-stones for the electric power.

A similar relation those various meetings bore to the Association. The leaders joined in the former, gave them unity, comprehension, and effect: but, in turn, they brought away fresh accessions of vigour. The Association rose with redoubled strength after each contest with its parent. Increased energies, and a bolder spirit, were evident in its subsequent sittings — greater enlargement of view, and a nobler policy. The tables of the law had been received, and its face shown after witnessing the presence of the people. The assemblies in the provinces were the ganglions of the body politic, to accumulate the nervous influence: but their function did not stop there, it reacted on its source, and returned unabated supplies of vitality to the organ that originally gave them life.

Of course, however, the association was that to which all men looked: there the great outlines of policy were laid down, and the great displays of oratory made. We are sure we shall be pardoned if we touch very briefly on the characters of the principal actors upon that great stage — O'Connell, Lord Killeen, Mr. Shiel, and Mr. Wyse.

Mr. Shiel had been a vetoist, and a preacher of moderation.

In this cause, he maintained a "gentle passage of arms" with Mr. O'Connell, in those listed fields which open so invitingly to political champions between the margins of a newspaper. It has been said he complained of some hard knocks from the rugged hand of his adversary; but there is no doubt that, in a short time, he saw reason to question the propriety of the course he had recommended. It began to dawn on him, that, while the giant continued passive, the flocks of vultures that covered him would scarcely quit their prey; and, having arrived at the conclusion, that, to put an end to oppression, the most direct and rational mode is not precisely to exhibit all the outward signs of contentment—nay, stranger still, of gratitude—he chose his part, and flung himself into the ranks of his country. Second only to Mr. O'Connell in effect, the services he rendered were immense. The justice of the cause was so strong, that it required only examination to prevail; and this he compelled by the brilliance of his various talents; the novelty, beauty, and bitterness of his oratory; and, perhaps, in no light degree, by the splendid vices of his phraseology. He bound a radiance about the brows of the Association, which struck terror into the enemy. With singular variety of powers as a speaker and writer—wit, reading, ridicule, pathos, eloquence—it was equally difficult to anticipate the point of his attack, and to withstand its vivacity. He covered his adversaries and their cause with a garment of scorn; he held them up to the general derision; he enshrined them in contempt; and his sarcasm, sharp enough, was rendered still more piercing by the diamond points that encrusted it. The speech against Archdeacon Trench is a stream of passion, indignation and bitterness, covered with beautiful lightnings of fancy. Notwithstanding the disparity of the subjects, it may be studied with the phillippic pronounced, four or five years since, in the House of Commons, by Henry Brougham, against Lord Eldon; which, unless our recollections deceive us extremely, is one of the most masterly on the rolls of invective.

But Mr. Shiel's mind was not restricted to those modes alone The census and the simultaneous meetings are due to

him—both wise, and one a daring measure. He delivered admirable expositions of general policy. In colours, glaring indeed, but through which the hand of a master was evident, he traced the evils of the country. Standing on the grave of the memorable '98, he addressed solemn warning to government; he evoked the shades of men who perished in that fatal year; and by the powers of this spell, compelled them to point out the gigantic spectres of the future. In his style there was much to provoke one habituated to the austere spirit of antiquity—the muse of his eloquence might have worn a chaster and more matronly drapery—there might have been less of affectation and egotism; but in his eloquence there were the light and power of genius. Who would not forgive the gaudiness and theatrical glare of Murat's dress, to the gallantry which won, even from the cossacks, cries of admiration?

It was in one of the fourteen-day's meetings, that Mr. Wyse the eloquent historian of the Association, made his first appearance and impression. He had spent much of his life on the Continent, and was comparatively unknown; but his very first speech, by the comprehension of its views, the felicity of its allusions, drawn from actual observation, set off as they were by a certain antique structure of style, raised him at once to eminence. His parliamentary life has scarcely justified the expectations of his friends. The fervid feeling that cleared, and warmed the current of his eloquence has cooled, he has groped more through details than enforced principles; and, particularly, has been haunted by a fear of dictation, which is unaccountable in a man of such talents and experience. To shrink into comparative inactivity was not the best proof of independence. But we hope that he will yet recover himself, and do his country good service.

Lord Killeen came, recommended by heriditary claims to the affections of the Irish people. His father had been distinguished as the opposite in conduct and feeling to the bulk of the Catholic aristocracy, whether English or Irish—a fact which necessarily implies in him an exemption from much that degrades human nature. He could produce, however, a

far better title to respect, in firmness and principle—in pride without insolence, hilarity without licentiousness, discretion without timidity, and conciliation without a taint of submission. He did not aspire to eloquence: but the people listened attentively, for they placed much trust in his sense and honour.

But O'Connell was the heart and soul of the Association. He not only conceived and drew the noble outline, but was its support during the whole period of its existence. It was he who chalked its course, drove the high roads through the national mind, raised the Association within the circle of law, and secured the perfect legality of all their proceedings. Mr. Shiel spoke generally no more than once each day of meeting. It was, no doubt, a splendid display; but O'Connell made twenty short speeches, independent usually of a great one on some important motion. The fertility of his mind was inexhaustible, A letter from a remote corner of the country, a remittance of Rent, an allusion from another speaker, called him up either to convulse the meeting with laughter, to excite deeper emotion by an anecdote of the servile mind and body which long oppression had produced in the Catholics of former times, or to call out cheers of indignant pride, when he contrasted these with the haughty port they had now assumed. After wading in the courts through a greater number of causes than any lawyer at the bar, he came, at three o'clock, to the Association, and seemed to receive, from the delighted shout that filled the air on his approach, a renovated existence. He plunged immediately into the mass of business, threw as many incidental speeches as would cover a newspaper, full of humour, pathos, invective, all set in solid common sense; made a speech of two hours on some important subject, replied to his opponents, carried it; then went, surrounded by a body guard of all ages, to a charity dinner; threw off there, too, half a dozen speeches, retired at ten o'clock, and, by four the next morning, was in his study, praying before a crucifix. Never was there a man, who less disappointed expectation. In his speeches there was inequality; but it was of excellence. No great question ever

found him unequal to its weight. But it was in the hour of gloom and perplexity, when distinction, with a broad and powerful fan, puffing at all, winnows the light away, that his great qualities came forth. Fronting danger, he "burned unterrified." While weaker minds were trembling and vibrating; firm, cool, unmoved in his own mass, he seized the helm of the Association, delivered his orders, and infused into all courage and alacrity. It was then the benefit of that overbearing disposition, which has been so often, and sometimes so justly, objected to him, was felt, in an assembly where no man possessed any regular recognized authority, and a miserable reluctance to obey, without the ability to command, fixed in some stiff-necked individuals. He held the waters of faction in the hollow of his hand; wrongheadnesses, jealousies, and fears, were swept away before the energy of his mind, the weight of his policy, and the enthusiasm of the people. It is by what he did, not by what he said, that posterity will judge him. No man in the empire could have filled his place. Canning had loftiness, energy, and a seductive devil in his speeches.; but he could not bring the energy of mind and body—the mental and physical strength —to the Association. Plunket, with equal force of intellect and masculine oratory, wanted the devotion to the people, and the requisite flexibility of temper. Brougham possessed the comprehensive mind, with profound knowledge of the principles that set kingdoms in motion; but he was not, as it seems to us, gifted by nature with that breadth of popular qualities which was demanded in the leader of the Association.

Plato, in one of his beautiful dialogues, defines his opinion of an orator:—"He must have an accurate penetration in discerning accurately of the various relations of things; he must understand perfectly the nature of liberty, truth, and justice; accomodate his reasoning to them; and draw his inferences so clearly that his hearers, as well as himself, may easily perceive they flow naturally from the subject. He must also form in his own mind a distinct plan of what he has to say—be able to arrange many things into one, and, when needful, make accurate divisions of one into many;—above all, he must have a faculty

of perceiving what arguments will suit the tempers of his audience. These are qualifications requisite to a speaker who intends to persuade; these alone constitute an orator," We perfectly agree with the "Divine." To the truth and requisiteness of each of these qualities we set our seal; and there is not one that O'Connell does not possess in the highest degree. He is not always select in his language; but hear him at the bar! His speech in defence of Barrett was one of the ablest efforts of modern advocacy. He spoke for five hours, and in every period there was the thunder and lightning of ancient Greece: there was a Demosthenic harshness and elevated simplicity in his words, that held fast your feelings by hooks of steel. Even the stern dispensers of justice felt their hearts coming closer to their eyes, when he conjured up the visions of the national glory of Ireland, when she breathed the pure and invigorating air of liberty, in a moment of virtue. Every man who heard him on that day was impressed with a solid belief, that no orator of any age or country had surpassed him. When he wishes to be good, who can be better? He has little of the proud flash of words; but he has a sense, and sinew, and muscle, and a compass and power of thought, that few, very few, have equalled.

It was well said by Hume, that all power, even the most despotic, rested ultimately on opinion. In the vigorous grasp of mind with which he held this important truth, and the ability with which he, at length, embodied it in an assembly so admirably fitted for its ends, consisted the great merit of O'Connell. His speeches may, and probably will, perish; but there is a voice in his measures which will speak through all posterity to those possessing minds sufficiently capacious to embrace them in their solidity and extent. The future historian, unless he be grossly ignorant of his trade, surveying the skeleton of that gigantic policy, will exclaim, "This was a great man." They were no ordinary abilities that bound a whole people in the chain of a universal combination, wherein the several orders of the community preserved their respective places and gradations; which gave to that combination the

grace of rank, the sanctity of the priesthood, the strength, energy, and enthusiasm of the people; which, by law, scrupulously observing its letter, and anxiously inculcating on all, the observance of it, without shedding one drop of blood, or interrupting the ordinary current of daily business, wrung from declared enemies, in the meridian of their power, the solid establishment of religious liberty; and, what is of much greater importance, bequeathed an example of general application to freedom in its utmost diversity of appearance. Public life is the great trial of ability. To form a statesman requires the greatest combination of rare and common qualities, that go to form any character; with a certain strength and durability in them, to stand the wear and tear of business, as well as the accidental shocks of unexpected events. He must be not merely capable of a holiday speech—not even of one in which philosophy, learning and genius, blend their lights;—these may exist without that breadth and substance of practical understanding, without which the world, in one month, will detect and place no confidence in him; but he must possess a firmly-poised mind, an actual instinctive knowledge of men, a rudeness of grasp, which at once distinguishes the solid from the showy, and, in judgment, what mechanicians call stability, to indicate with promptitude the real weight of any measure, and strike the balance between the respective merits and demerits of two large systems. This is the true test of the man. To form the scheme of such an Association, clearly to perceive the principle of its structure, was what may have occurred to many men; but, for years, to conduct its affairs, to maintain the enthusiasm of the people, without violating the law: to rise in a successive series of measures, suited, by their progressive boldness and extent, to the ascending spirit and expectations of men; to exhibit a mind, which, though occasionally daring and intemperate had no cranny through which any thing petty or foolish could fall, to create alarm in his followers; to concentrate the attention of the civilized world on its proceedings; and, at length, vanquish the minds of his opponents: to do all this, without office, place, or authority by no other influence than

what the judiciousness of his measures could bestow, required that combination of great qualities which constitutes an extraordinary man. We are told of his faults, his vanity, the coarseness of his taste, his intractability, his changes of opinion: these, we may be assured, did not aid him. They were drawbacks on his efficiency; and, therefore, as far as the question of power is concerned, prove only the enormous strength which, after such a waste, was adequate to the support of so massive a frame of policy. If the conduct of the Catholic Parliament leave any doubt as to the Atlantean shoulders of practical intellect that upheld it, it will not be in any judgement which is conversant with life, and knows, by observation, the requisites that must have been demanded for that task.

That O'Connell was aided by other individuals of splendid eloquence, is no depreciation of his fame: on the contrary, properly considered, it enhances it; for no man can work without instruments; and it is justly thought one of the most unerring proofs of a powerful mind, to gain that ascendency over men of singular abilities, and direct them to some great object. He must have possessed a great mass of character to exact that attention, and compel such persons to revolve around him.

Along with the effect of the rent, the press, speeches, and provincial meetings, is to be taken into account the large influence of the Catholic priesthood. To them, much of the peaceable character which formed so striking a feature in the combination, is to be attributed, as well as of the admirable organization and spirit of the nation; for the priest is the friend of the people. But of that noble body, as our limits will not permit us to speak adequately, we must be content with this brief notice; referring the subject to the reader's more attentive consideration.

From the day of the first establishment of the Rent, the Association advanced, with scarce a curb, in power and authority. Rent, subscribers, the whole nation, poured in. As its efficiency increased—as men began to experience actual pro-

tection—the roots of its influence shot deeper and wider, bound the shifting sands of popular opinion, and gave stability and dignity to the national character. Along with the sense of increased power and responsibility, the prudent boldness of the Association increased—the debates grew in splendour. But, with every reef shaken out, great care was taken to lay in ballast, to bolt and cramp the timbers together, and enable them to resist the strain upon them. While every oppression was assaulted, the law was scrupulously respected, and the strictest observance of it enjoined on the people, as their surest and broadest shield. All objections to its power were quashed by the use made of it. Under the influence of the Association, insurrection subsided rapidly, outrage was repressed, justice was procured for the poor, and a salutary fear struck into the authorities of every rank, which by a more impartial discharge of their duty contributed to the general peace. The fame of this Irish Parliament extended. The singularity of its nature, the extraordinary dominion it had acquired, and the eloquence of its leaders, fixed the gaze of foreign nations; France, Italy, Germany, America—from the frozen shores of Hudson's Bay to the opposite regions of cold in the southern hemisphere—discussed the penal code. Even the East India newspapers took up the subject.* The struggles of the Catholics threw back a light on ancient history—they penetrated into the closet, and coloured the meditations of the student. A general execration arose. The arms with which the English character embraced the world, were chopped off. Foreign tyrants returned her taunts with tenfold contempt, and flung in her face the oppression of Ireland; others exulted at the spectacle of her weakness:—they thought of the policy which suspended by a single hair the sword of Hoche over her throat; while others entered into closer calculations, and actually sounded the dispositions of the Irish people

The Government stood aghast. Finding themselves dwindle

* See the "O'Connell Tribute," amounting to 3000 pounds, remitted from India.

away daily and the weeds of disregard overspread their authority, they at length resolved to make an attempt to recover it, but without producing, in their temper or conduct, any one claim to its rightful exercise. Obedience, respect, and affection, they would readily buy with stores of the strongest incentives to hatred and contempt. To enjoy the privileges of good government without discharging any of its duties, was their great object. To pacify affront by insult, and hardship by oppression was their golden rule. To govern men in violation of justice, they asserted, was the great end of law; and Mr Goulburn, with much gravity, much opacity, and a genius fitted, by the original cast of nature, for elucidating absurdities, invited the Irish people to sit down to the table and hear him demonstrate that theorem. For three or four hours "no dog barked," while he

"Talked about it, goddess, and about it."

He covered a great extent of ground; but it was by a device as old as the time of Dido, and with somewhat of the same material. Notwithstanding the thick light which he threw on the subject, the truth of the original proposition remained in some doubt; and it is still questioned whether government was not instituted for the good of the governed. It was when the advantages of the Association had been fully felt, and a new spirit of union and honour had bound all classes together, that, in the session of 1825, Mr. Goulburn brought in his bill for its suppression; yet, it was necessary to mask it under a general belief that it was the prelude to emancipation. This statement may now be read with much amusement—it was received then with different feelings; but the distaff of an old woman strikes with force in the hand of government. One would imagine his a sham accusation. He complained that no art could induce the association to violate the law, discoursed of the total absence of dissension, and dwelt much on the enormity of having formed committees for procuring justice, for extending education, and levying money to carry these objects into effect. These high crimes could not be overlooked. The bill passed; but they could

not pass obedience to it. The sense of general utility, which, and not the name of Parliament, gives a law its efficiency, was wanting. "The omnipotence of Parliament," when applied to maintain a cruel, iniquitous oppression, shrunk before the real omnipotence of the people. In a few weeks, Mr. O'Connell "drove a coach and six through the statute." The Association rose, with increased power, against a shamed and defeated government. To proscribe its name was foolish—to proscribe its substance without outlawing the people of Ireland, was found a hope equally ridiculous. Societies for the purpose of charity, religion, agriculture, education, were permitted in the bill, the Association might take any or all of these forms; for the system opposed was uncharitable, irreligious, fraught with injury to education, trade, and agriculture. It was established, therefore, for these, "and all other purposes not prohibited by law." A clause permitted societies for political discussion to exist no longer than fourteen days in each year. Here a battery might be erected. The position was seized; and, besides the regular meetings of the new Association, societies, combining the advantages of continuity with the vigour of temporary action, were formed. But they were not restricted to Dublin: under the name of provincial meetings, they rose in every quarter of the country successively; and thus the sessions of the Association were to be held in every town of note throughout Ireland. In this state of feeling, Parliament was dissolved. The people rose at the order of the Association. Never was there seen a more majestic movement. In Waterford, South Monaghan, Westmeath, they walked over the Tories. But what was the victory itself, compared to the sobriety, order, enthusiasm, and devotion that effected it? Persecution began. It was shocking that tenants should not perjure themselves—unheard of, that they should have a country, —monstrous, that they should think of their religion! The bishops, who knew that the gospel was preached to the rich alone, were astounded; fulminations, lay and clerical—the latter, however, of a much finer scarlet—went forth; but the Association existed. The new Rent was established. If a land-

lord was deaf to decency and humanity, his sensations were assisted by a punch from the halberd of the law. Physicians, very skilful in their professions, applied the stethoscope to the state of his property; the oppressed breathing, which mortgages had induced, was explored, and an antiphlogistic regimen instantly adopted. They bought up the encumbrances on his property; and, if he attempted to persecute his tenantry for their votes, soon compelled him to listen to reason. If all was ineffectual, the individual himself was alone to blame, that the cries of a wife and houseless children taught that law of "wild justice," with which continued oppressions have embued the Irish peasant.

It was about this time, America sent her voice over the waters. A meeting had been held at New York, Judge Swanton in the chair, "to give." as the resolution stated, "efficient expression to their sympathy for the oppressed, and indignation at the conduct of the oppressors" A co-operating Association, on the model of the Irish, was formed, and a rent put into process of collection. Similar meetings were held at Washington, Augusta, Boston. Some time after, it was stated in one of the addresses, that permanent boards were to be formed in every village, and that a general Congress, from all parts of the Union, was to meet at Washington, to devise the best means of assisting the Irish people. The spirit was not confined to the United States. It fell on Canada. Meetings were held in Nova Scotia, Newfoundland, &c.; and Rent, the great test of sympathy, transmitted from those Colonies nearer home. On the Continent, Ireland excited an amazed interest. The spectacle, in itself so glorious, of a nation contending for its rights, had also something extraordinary in the character of the means. Men, the most unreflecting, were surprised by the novelty. They had a confused obscure feeling of the importance of the discovery; but persons of mind wide enough to embrace the subject, were startled at the new power thus introduced into the political world, and sat down to study its elements and results. The debates of the Association were translated into Italian and German; while the French, not contented with hearing, came to see with their own eyes the working of such a

system. The formation of a heart in Ireland, shooting veins and arteries to the smallest member, furnished with all the apparatus of nerves, viscera, and absorbents, and performing its functions with the regularity of health, was a phenomenon to which, if all the circumstances be taken into consideration, no equal can be found in the physiology of society.

These testimonies naturally gave an impetus to the Association. The Rent increased, and drew, in the innumerable channels of its course, a more intense sympathy, and a more prompt, as well as regular organization. Meetings, attended with the same result, grew in number and spirit. The crown sat easier on the brows of the Association. With much coolness and method, it began to consolidate its authority. A system of national education was established. The collection of the revenue was better provided for. An admirable plan, simple but effectual, charged with that responsibility two Catholic churchwardens; and, to give uniformity to the system of internal government, one was to be elected by the parish meeting in the new vestry —the other was to be appointed by the parish priest, whose masculine understanding, discretion, and patriotism, might well be entrusted with the power. Liberal and election clubs were also spread through the country; but, to exhibit, in a striking manner, the wonderful unity of feeling, the simultaneous meetings were commanded. It now became evident to all men that emancipation must pass, or the government would be, even in name, ejected from Ireland. Sober persons were astonished at the apathy of the Ministry; and loud indignation would soon have followed; for who could contemplate risking every thing dear to him, in order to uphold the continued oppression of the kingdom by a contemptible faction? Lord Anglesey, a man of ancient generosity of soul—more like a character of chivalry, than a modern soldier—was unceasing in his representations; and he was strongly seconded by every person who witnessed, with his own eyes, the state of affairs—particularly by military men, who transmitted their profound astonishment at the organization, order, peace, and spirit of the people. It was discovered that the obedience of the army

reeled. Great numbers were Catholics,—were all men,—and continued discussion had completely shaken their minds. They had no taste to butcher persons, whose sole offence was, that they professed the religion held by many of themselves.

To blunt their bayonets in the hearts of men struggling for their rights, seemed, to brave soldiers, base and cruel. The next great step was the formation of Brunswick Clubs, by which the country was divided into two large though utterly disproportioned battalions, But, to add to the effect of this, so shameless and naked was the lust for blood displayed at those meetings, particularly by clergymen of the Established Church, that they seemed to have been made drunk, by the Association, with some sanguinary mixture, and turned out on the platform to disgust the world with the cause which they vomited out, in raw and undigested pieces, into the bosom of public decency. Something similar to this, but much weaker in effect was lately produced by the denunciation of dandy officers. "Let the Lords kick out the Reform Bill, and leave us to deal with the people—let us at the Unions." Prudent persons heard this language with misgiving as to the effect; humane persons with aversion; and brave men with contempt. The result was exactly opposite; and these bullyings were certainly then, as they always will be, when addressed to such a nation as the British, the most direct means of advancing Reform. Lord Plunket said, in the House of Lords, with perfect truth, that the Brunswick Clubs were the fast friends of Emancipation. But, to put an end to all doubt in the minds of Government, the Clare election came like a thunderclap. On the evening of the first day, Emancipation was carried The dream was at an end:—the stern reality stood before the Duke of Wellington, that he had not the power of a constable in Ireland. He frightened the King; and, with the reluctant aid of Mr. Peel, passed Emancipation.

Having thus crowded into our canvass the principal measures of the Association, we would solicit the reader's attention to those particular parts of it in which Mr. O'Connell shows so conspicuously the advantages it dispensed; and to a brief

examination of the objections to similar national combinations. The advantages we will find to have been,—that it raised the character of the people—established a useful system of national education—taught respect for law, and extinguished the habits of insurrectionary outrage, which despair of other redress had produced,—and, finally, taught the mode of effecting great changes in law, by the sole force of public opinion. The fountain head of its utility was, that, recognising no other instrument but general discussion—a demonstration, by facts and reasonings, of the mischief of the system- its effects were peaceably produced; and, therefore, along with the immediate blessings of such conduct, carried with them the principle of permanent improvement. Never was a charge more untrue, than that it inculcated a disrespect of law. It certainly did not inculcate a reverence for the infamous code it was devoted to abolish—it did not teach respect for laws to which no respect was due, while common sense, as well as common feeling, shewed it was useless to hold it up for any purpose but public reprobation. It did not recommend to gratitude or support a government framed in the spirit of hostility to the immense majority of its subjects; but the distinction between law in general and the penal code, was so strongly drawn, that it forms one of its striking characteristics. The Association was wholly moulded in its form by the measure of law. During the period of its existence, no one illegal or seditious act could be laid to its charge. But it did much more; it demonstrated, in the clearest manner, the folly of those fierce insurrections by which the peasantry had endeavoured to crush their oppressors. It proved, and impressed on Ireland as a principle of action, the truth that, in free states, law is best, safest, and most permanently changed by law—that wild plunges aggravate the distress, and that midnight outrage adds tenfold weight to the iron hand of misrule.

But political unions are said to be inconsistent with good government; depending for success upon general discussion, they interfere only in extensive grievances. They require, as the condition of their existence, evils

evils afflicting not one class or trade, but the bulk of the community. Take away from them the broad surface of misgovernment—no matter what be its intensity—confine it to a few, and they perish. It is childish to say they influence the popular mind with imaginary wrongs. This betrays profound ignorance of the world. The great difficulty is to move men, but, beyond all, to move a nation. Great judgment, great eloquence, are not sufficient, without great and continual suffering—broad, palpable, permanent wrong. The means adopted by political unions are directly repugnant to the truth of the charge. If, then, complaints are well founded, they are, they must be, the greatest idiots alive who subject them to the scrutiny of eternal inquiry. None but sterling metal can bear long circulation. If merely washed over—without any refined process, by no more than casual rubbing—the gilding wears away, and the utterer of the counterfeit coin is detected. Experience is totally opposed to those who represent the mass of a nation, giddy, false, and quarrelling with their food. These calumnies are poor devices of misgovernment, and refute themselves. It may be said, the people are sometimes subject to delusions—to furious paroxysms, in which their strength is directed against their permanent interests. Granted: but it is in the exact ratio of their ignorance. It was a sense of that which produced political unions. It was a perception of the necessity of diffusing accurate knowledge, of ascertaining the exact cause of the national suffering, of bringing all classes together,—from their various evidence, deducing the real seat of the disease, and substituting, as a remedy, the force of reason and opinion, for secret conspiracy, that mainly created them. The great objection to improvement was the evils through which it was supposed we must necessarily wade before we attained it: but discussion, influencing opinion, produces, within the shell of existing law, a new body, which gradually absorbs and supersedes the old. All is smooth, regular, and in the ordinary course of nature. Particle is replaced by particle, until at length—while the

general shape has been preserved, and its functions interrupted by a change analogous to that in the human frame—good institutions are gradually substituted for bad; but the living principle of impartial justice continues, during the change, to preside through society. The power of political unions bears an exact proportion to the state of education. In barbarous countries, they cannot exist for an hour. So that the very nature of their power contains within itself an effectual check upon abuse. The Association felt this, and founded a national system of education. They worked by enlightening the people. Observing that, in all ages, an ignorant population is disposed to conspiracies, insurrections, and wild massacres, as the means of escaping from oppression; and clearly discerning, not merely the wickedness, but the total inutility of these, they inculcated peace, and taught patience. But as such preachings would have been properly despised, if offered in the nakedness of a servile morality, they shewed that they were the surest means of ameliorating their condition, when combined with other measures. Accordingly, the quantity of political and general information they threw out, was incredible. Secret meetings, conspiracies, ribbon associations, were abandoned; and the efforts of the people for redress, rushed, in the light of day, along the channels of the constitution, They raised the national character, and were raised along with it. Broader principles, measures of a more general utility, and a nobler style of oratory, were necessary to suit a whole nation. Never was there a more magnificent spectacle. In Brazil, they judge of the richness of mines contained in their mountains by the loudness of the echoes in a thunder storm; and the noble spirit of the Irish people was evinced by the manner in which it replied to the eloquence of the Association. Poor peasants, humble farmers, for their country and religion, made the most heroic sacrifices. Ties, thought almost omnipotent, burst like twists of rotten silk, when put in competition with duty. Money and influence were despised. Men who never had £5 at a time in their lives, during the Waterford election

produced the notes that had been offered them, in open court, and flung them in the faces of Lord Beresford's agents. It was in vain to threaten them with the vengeance of their land lords. As they said themselves, "they would sooner die, than demean themselves in the presence of the whole country;" and the spirit was fully shared even by their wives and daughters. But what rendered this enthusiasm more striking, was the extraordinary self command that controlled and sustained it. At the elections in 1825, but particularly at the Clare election, the order and peaceableness were amazing. It fully proved how thoroughly penetrated the humblest classes were with the nature of their cause, and the mode in which it could be injured. So far from the usual riots, there was not one breach of the peace, not a blow struck, except by an enemy. Every thing bent to "the good of the country." The Association shewed the necessity of sobriety; and not a glass of whisky was drunk. It inculcated and demonstrated the necessity of peace. A man was struck, we believe, by a policeman, he stopped, looked at him, and said, "Do that, this day week! " A freeholder, quite exhausted, asked for a drink of water. A priest poured out a glass of whisky : the man said, " Sure, we were desired not to drink whisky during the election," and spilled the liquor on the ground. The same feeling was shared by thousands. Enormous masses of the peasantry preserved the peace. The whole county was a policeman. Military men were more astonished at these circumstances than at any other, The discipline, the organization, the enthusiasm, and the universal feeling. produced the most profound impression on their minds. They said that such a people could not be oppressed with impunity; and of course, their representations were not disregarded by the Duke of Wellington.

But there was a still more formidable feature. It is one of the direct consequences of the system of Political Unions, that it effects changes, as has been observed, peaceably, by not only combining the oppressed, but by converting the very instruments of oppression to its side, The legs are knocked from under tyranny. The cements of a corrupt self-interest run like

wax in the general conflagration of feeling. A nation on fire is a terrible and affecting spectacle. The coldest bodies at length become warmed. Soldiers are but men, with the same feeling as the rest of the community, susceptible of the same love of justice and liberty, though modified by habits of blind obedience. If they sometimes consider the interest of the army as separate from that of the nation, the meanness of acting on any such consideration is sure to be exposed by a comparison with those generous principles with which they see others actuated; and, as their interest is really identified with that of their country, the force of public discussion will, at length, attach them to the people. This brings us to the next great advantage of Political Unions, that they neutralize the effects of standing armies.

The Tories talked big of the army in the late crisis. We firmly believe they would not have acted—some few regiments of guards, perhaps, excepted—against their country; but it was of greater importance, that their resistance would have been but chaff to a people as brave as themselves, contending for their rights, and more than a hundred to one. In Ireland, discussion had shaken the minds of the soldiery. The good humour of the people conciliated, while the obvious justice of their cause strongly affected them. They felt, without any reasoning, the extreme cruelty of interfering with religion. Their feelings revolted at the idea of butchering their fellow-creatures for a faction. It is now notorious, that in the towns and along the line of march, hundreds threw up their caps for O'Connell; and there seems no doubt that General Thornton, who commanded in Ulster, like a rational man, told the Duke of Wellington not to calculate on the troops. But, it will be asked, is the country to be agitated on every light occasion by unions? Are the hammers of perpetual discussion to resound through the land? This cannot be answered until another question is resolved—Are the people to be always oppressed? Is the state to be completely overrun with the fungus of various abuse? Is the majority to be sacrificed to the minority? Must the frame of government always press on the raw necks of the

poor? Unions *cannot* exist on every light occasion. Without numbers—in short, the bulk of the nation—attached to them by the bond of general suffering, they are a mere odious parcel of brawlers. Take away from them actual and extensive grievances, and they gasp on the strand. But when is it to be known that the crisis has arrived which demands national combination? We reply, the time will find itself. The general sense produces the general union. Men meet, bring their wrongs into the middle, and the thing is done. When government, which was established to aid, becomes so perverted as to obstruct the interests of the community, and has taken a settled bias towards mischief—when it has hopelessly become a great engine to squeeze industry, and when injustice is barbed with insult—the natural effort of society attempts to supply the deficiency by creating a new organ. If the legislature from whatever cause, is below the average spirit and intelligence of the country, it will be despised. If it oppress, it will be hated, and men will look elsewhere for substantial government. This is the eternal law of things. It is a mere fallacy to represent the option as between unions and civil war. Had not the Birmingham Political Union, with the rest, existed, we would, undoubtedly, have had the scenes of 1648 renewed in 1832.

CHAPTER III.

Having thus given a voluminous account of the rise and progress of an association, which in its influence on the political and moral world, has not its parallel in civil history, we shall proceed to dilate upon those circumstances, which have a more immediate reference to the private life of Mr. O'Connell, all of which, however, had more or less some relation to the part he then enacted on the political theatre of his country. At the time when Mr. O'Connell appeared as the great champion of the Catholic cause, the corporation of Dublin was composed of men acting under the influence of such conservative principles, and imbued with such an intolerant spirit of Protestant ascendency, that they thought to carry every thing before them by an unbounded stretch of authority, and an infraction even of the law itself to suit their own political purposes. That a man of O'Connell's stamp and character should be the object of their inveterate hatred, of their unrelenting persecution, and of their secret enmity, is one of those consequences which follow, as naturally as the light, does the sun. It may also be supposed that Mr. O'Connell in the various speeches that he made at the Catholic meetings, was not very moderate in the epithets, which he employed against the members of the corporation, and on one occasion, when he attended a meeting in Capel street, and in illustrating some matter, he was anxious to enforce, he alluded in a contemptuous manner to the corporation of Dublin. "The beggarly corporation of Dublin," was it seems one of the epithets of scorn which he used and in reprobation of this act, Mr. J. N. D'Esterre being member of the corporation, and having seen this phrase, addressed the following letter to Mr. O'Connell.

Sir,—*Carrick's paper* of the 23rd inst. (in its report of the debates of a meeting of Catholic gentlemen, on the subject of a petition,) states that you have applied the appellation of *beggarly* to the corporation of this city, *calling it a beggarly corporation*, and, therefore, as a member of that body, and feeling how painful such is, I beg leave to inquire whether you really used or expressed yourself in such language?

I feel the more justified in calling on you on this occasion, as such language was not warranted or provoked by any thing on the part of the corporation; neither was it consistent with the subject of your debate, or the deportment of the other Catholic gentlemen who were present; and though I view it so inconsistent in every respect, I am in hopes the editor is under error, and not you.

I have further to request your reply in the course of the evening. And remain, Sir, your obedient servant,

J. N. D'ESTERRE.

11, Bachelor's-walk, 26 Jan. 1815.

Mr. O'Connell's answer was as follows:—

Sir,—In reply to your letter of yesterday, and without either admitting or disclaiming the expression respecting the corporation of Dublin, in the print to which you allude, I deem it right to inform you, that, from the calumnious manner in which the religion and character of the Catholics of Ireland are treated in that body, no terms attributed to me, however reproachful, can exceed the contemptuous feelings I entertain for that body in its corporate capacity—although, doubtless, it contains many valuable persons, whose conduct, as individuals, (I lament) must necessarily be confounded in the acts of a general body.

I have only to add, that *this letter must close our correspondence on this subject.*—I am, &c. &c.

DANIEL O'CONNELL.

Merion Square. Jan. 27th, 1815.

On the following day, a letter was left at Merion-square, for Mr. O'Connell during his absence at the courts. Its di-

rection was different from the former one which came from Mr. D'Esterre, and Mr. James O'Connell, who had instructions to open any communications that were directed to his brother, in his absence, ascertained the quarter from whence it came. He sought merely for the signature, and on perceiving it to be Mr. D'Esterre's, he immediately closed the letter, and returned it in the following note to that gentleman :—

Sir,—From the tenor of your letter of yesterday, my brother did not expect that your next communication would have been made in *writing*. He directed me to open his letters in his absence; your last letter, bearing a different address from the former one, was opened by me; but, upon seeing the name subscribed, I have declined to read it, and, by his direction, I return it to you inclosed, and *unread*.

I am, Sir, your obedient servant,

JAMES O'CONNELL,

Merion-square, Friday Evening.

Things remained in this condition until the following Sunday. On that day, Mr. James O'Connell received a note from Mr. D'Esterre, containing disrespectful observations on himself and his brother. Immediately after the receipt of it, he sent his friend Captain O'Mullan to Mr. D'Esterre to say, that after he had adjusted his affair with his brother, he would bring him to account for his conduct to himself peculiarly. Captain O'Mullan at the same time intimated that Counsellor O'Connell was astonished at his not hearing in, what he conceived *the proper way* from Mr. D'Esterre. Nothing further happened on that day; and on the following morning, Mr. Lidwell, who remained there several days, to be the friend of Mr. O'Connell, though some members of his family were seriously indisposed, left town for home, despairing of any issue being put to the controversy. Monday passed on, and on Tuesday considerable sensation was created by a rumour that Mr. D'Esterre was advised to go to the Four Courts to offer Mr. O'Connell personal violence. Neither of the parties came in contact; but it seems that Mr. D'Esterre was met on

one of the quays by Mr. Richard O'Gorman, who remonstrated with him, by stating, that he conceived, he was pursuing a very unusual sort of conduct. This occurred about three o'clock, but no challenge followed. About four, it was understood that Mr. D'Esterre was in the streets, and Mr. O'Connell paraded about with one or two of his friends, but did not come across his antagonist. A multitude soon collected about him, among whom there could not be less than five hundred gentlemen of respectability, and Mr. O'Connell, then, had no other resource left than to take refuge in a house in Exchequer-street. In a short time, Judge Day entered in his magisterial capacity to put him under arrest. The Hon. Justice said, he would be satisfied, if he had the guarantee of Mr. O'Connell's honour, that he would proceed no further in the business. "It is not my duty, Mr. Justice," said Mr. O'Connell, "to be the aggressor. I will, therefore, pledge my honour that I will not be the aggressor—further, however, I must tell you, that no human consideration will induce me to go. The Hon. Judge then retired, and Mr. O'Connell shortly after repaired to Merrion-square. No challenge of any kind grew out of that day's proceedings.

On Wednesday morning, however, it was at length intimated to Mr. O'Connell, that Mr. D'Esterre intended to call upon him for a meeting, and accordingly, Sir Edward Stanley, then barrack-master of Dublin, waited upon Mr. O'Connell with a hostile message.

The message was accepted; the necessary measures were arranged between Sir Edward and Major Macnamara, of the county of Clare, son-in-law of Judge Finncane, eldest son of Francis Macnamara, of Moriesk, Esq. an officer of consummate bravery and polished manners. The hour appointed was three o'clock on Wednesday; the place, Bishop's-court Demesne, Lord Ponsonby's seat in the county of Kildare, thirteen miles distant from town.—It was agreed by the seconds, that the distance should be ten paces, and that each party should have a

case of pistols, to fire according to his judgement. Sir Edward Stanley, Mr. D'Esterre's friend, then addressed Major Macnamara, Mr. O'Connell's friend as follows:—

Sir Edward—Well, Sir, when each has discharged his case of pistols, I hope the affair will be considered as terminated, and that we leave the ground.

Major Macnamara—Sir, you may, of course, take your friend from the ground when you please. You, Sir, are the challenger, and you may retire from the ground whenever you think proper, but I shall not enter into any such condition as you propose. However, it is probable there may be no occasion to discharge the whole of a case of pistols.

At three precisely, Mr. O'Connell attended by his second, Surgeon Macklin, and a number of friends, were on the ground. About four, Mr. D'Esterre attended only by Surgeon Peele Sir Edward Stanley (his second), Mr. Piers, and a Mr. D'Esterre of Limerick, appeared. There was some conversation between the seconds as to position, mode of fire, &c. which added to other sources of delay, occupied forty minutes. During this interval, Mr. D'Esterre took occasion to say that his quarrel with Mr. O'Connell was not of a religious nature—to the Catholics, or their leaders, he said, he had no animosity whatsoever. At forty minutes past four, the combatants were on the ground. They both displayed the greatest coolness and courage. The friends of both parties retired, and the combatants having a pistol in each hand, with directions to discharge them at their discretion, prepared to fire. They levelled — and before the lapse of a second both shots were heard; Mr. D'Esterre's was first, and missed—Mr. O'Connell's followed instantaneously, and took effect in the thigh of his antagonist about an inch below the hip. Mr. D'Esterre of course fell and both the surgeons hastened to him. They found that the ball had traversed the hip, and could not be found. There was an immense effusion of blood. All parties prepared to move towards home, and arrived in town before eight o'clock.

Mr. D'Esterre's wound was declared immediately to be very dangerous, the ball had passed through both thighs and lodged in the hip, whence it could not be extracted. On the return of Mr. O'Connell to Dublin, it is impossible to describe the emotion which appeared to pervade all ranks of people on the road, when it was known that he was safe, at the same time, to the credit of the Irish character, it must be said, that a strong degree of sympathy was manifested for the individual who had perhaps, from a mistaken sense of honour, put himself forward as the champion of the corporation, on account of a mere expression which did not apply to him personally, nor was in the slightest degree meant as a personal affront to him. To speak of a body of men in their official or political character, cannot be regarded as any impeachment of private worth, nor can it be construed as an infraction of that courtesy, which is the distinguishing mark of polished society. From this view, it cannot but be regarded as rather a headstrong and unjustifiable act on the part of Mr. D'Esterre in calling upon Mr. O'Connell to answer personally for what he had uttered against a body of men in their corporate capacity, at the same time, that he might respect and esteem them for their private virtues, and a strict fulfilment of the various relations of human life. We should be justified in many points in styling the House of Commons, as at present constituted, a very "beggarly House" indeed, but we should be doing great injustice to the members of it invidually, were we to stigmatize them as "beggarly." Mr. O'Connell held the corporation of Dublin in the most profound contempt as a body, he maligned as such, not as individuals, although in their official character, as being public property, he, as one of that public had a right to express his opinions of them, without laying himself open to the risk of being called upon by every hot-headed common councilman, who might think his character and honor aggrieved, of having his brains blown out. Were we to speak of the court of aldermen of the city of London, we should acknowledge our obligations to Mr. O'Connell for having supplied us with the word "beggarly," but individually we entertain a high respect for many

of them, though as a body, the opinion which Mr. O'Connell expressed of the corporation of Dublin, and that which we have generally expressed of the court of aldermen of London, exactly harmonize together. Fortunately for us, there are not many D'Esterres sitting on the aldermanic bench.

On the day subsequently to the duel, it was the sole theme of conversation in all the circles of Dublin, but still a heavy gloom pervaded the city, when it was announced by the surgical attendants of Mr. D'Esterre, that no hope whatever remained of his recovery. An hœrmorrhage of the bladder took place, when the most alarming symptoms were exhibited, and surgeons Macklin and Peele despaired of his recovery. Mr. Crampton was called in and at nine o'clock in the morning they pronounced the wound mortal. Till that moment, his wife had not been at all apprised of his situation. being absent from the house, and kept in ignorance; it was, however, deemed necessary to send for her, The meeting may be imagined—not a tear escaped her; she remained unmoved, and insensible. He was perfectly aware of his dissolution, and with that coolness and fortitude which he so uniformly displayed, endeavoured to urge her to composure. He next called for a clergyman, and having received the sacrament, and occupied an hour in ardent devotion, he turned his attention on worldly affairs; his relatives, who surrounded him, having apprised him that it had been insinuated in some of the public papers, that he had been urged to the business by a party, he desired that Sir Edward Stanley should be called, whom, in the presence of all his relations and friends, he embraced in the most ardent manner; he assured his wife and family that the entire of the correspondence had taken place without his consulting any individual in the world; that Sir Edward was not acquainted with any circumstance till he was called on by Mr. James O'Connell, and that all the solicitations of Sir Edward, or the whole world, would not have induced him to abandon the cause he had espoused. He then thanked Sir Edward for his exertions for him, and asked him for a packet containing his will, which he gave him on his going out; upon receiving

which, he said, now my mortal cares are over, except my reconciliation with my brother-in-law Atkins. When he was informed that he was in the house, he sent for him, and, having affectionately embraced him, whom he had been at law with for several years, he desired to be left to rest; he laid his head upon his pillow, and in less than half an hour he breathed his last, without a single sigh.

Mr. D'Esterre was an officer of marines on board the fleet at the Nore, during the mutiny, and distinguished himself by his courage and loyalty upon that occasion: he was so near suffering for his loyal exertions, that the rope was actually about his neck, and he was on the point of being run up to the yard arm. At the time of his death, he was a merchant in Dublin, and a government contractor. He married the accomplished daughter of Mr. Cramer, the musician.

It was generally supposed that an inquest would be held on the body of Mr. D'Esterre, and considerable anxiety was felt as to the verdict which might be delivered, involving Mr. O'Connell, perhaps, in a criminal prosecution. All fears, however, on this head were laid aside by the following handsome letter, addressed by Sir Edward Stanley to Mr. O'Connell:—

"Royal Barracks, Feb. 4, 1815.

"Sir,—Lest your professional avocations should be interrupted by an apprehension of any proceedings being in contemplation, in consequence of the late melancholy event, I have the honour to inform you, that there is not the most distant intention of any prosecution whatever, on the part of the family or friends of the late Mr. D'Esterre.

"I have the honour to be, Sir,
Your most obedient humble servant,
"EDWARD STANLEY."

"Daniel O'Connell, Esq, Merion Square."

To the above Mr. O'Connell returned the following answer—

"Merion Square, Feb. 5, 1815.

"Sir —I have the honour to acknowledge the receipt of

your letter of yesterday, and I beg of you to accept my sincere thanks for your very polite and considerate attention.

"It is to me a mournful consolation to meet such generous sentiments from those, who must be afflicted at the late unhappy event. But, believe me, my regret at that event is most sincere and unaffected; and, if I know my own heart, I can, with the strictest truth assert, that no person can feel for the loss, society has sustained in the death of Mr. D'Esterre with more deep and lasting sorrow than I do.

"Allow me again to thank you, Sir, for the courtesy of your letter—a courtesy quite consistent with the gentlemanly demeanour of your entire conduct on this melancholy transaction.

"I have the honour to be, Sir,
Your most obedient humble servant,
"DANIEL O'CONNELL."

"Sir Edward Stanley."

One of the consequences of this duel was, that it fanned the flame of party spirit to an intensity, which actually threatened to subvert the happiness of domestic life. It penetrated into the bosom of families; the son rose against the father, the father against the son; the ties of ancient friendship and of brotherhood were broken asunder; consanguinity, lost its influence in society, and all the relations of human life were diverted from their legitimate purpose to support the cause, which self interest or patriotism might have prompted the individual to espouse. Every engine, which the Protestants could set in motion, to blacken and defame the character of Mr. O'Connell, personal and professional, was greedily seized upon, and not the national character itself of the Irish, noble and generous as it is, stood in the way. Had O'Connell lived in the latitude of Madrid or of Lisbon, the assassin's dagger would have been in his heart, and hundreds would have followed up the blow, rather than their victim should escape. In vain was it reiterated by the friends of Mr O'Connell, that he was not the aggressor—that he sought not the blood of another man, and that whatever act he might have committed, he did commit it in self defence.

He was a member of the great compact of human society, and, therefore, under the influence of its laws; but, said the moralist, the laws of honour, as they are so termed, are not founded on the basis of humanity or Christianity, and as such, Mr. O'Connell was not bound to obey them; but, upon the same principle, it was overlooked on the part of Mr. O'Connell's opponent, who sought the conflict upon a false and perverted notion of a wounded reputation, and, therefore, on him, and on him alone was the burden of the iniquity to be placed. The conduct of Mr. O'Connell was not viewed through the medium of reason, justice, or impartiality, on the contrary, it was examined by the scale of political predilections and antipathies. In the opinion of Protestants Mr. O'Connell was a murderer; in the estimation of the pseudo-moralist, he had placed himself beyond the pale of Heaven's forgiveness. It was said, that the ultimate object to which all public exertions should be directed, should be the establishing of private virtue, and the ensurance of domestic felicity; Mr. O'Connell had, in the death of Mr. D'Esterre, falsified both; he, therefore, had abrogated from himself all claim to the character of a patriot, or of a virtuous man. Such flimsy, superficial reasoning was, however, thrown away upon the partisans of Mr. O'Connell; like the arrows against the shield of Ajax, it fell fruitless, and in many instances contributed to produce a contrary effect, His own immediate party beheld in him, their champion, who gave all his mental energies in support of their righteous cause, and who was willing to shed his blood in its defence. If before he was worshipped, he was now idolized;—if before, the members of "the beggarly corporation" evinced their fear of him, they now quailed before him, he stood before them, with the consciousness of having performed the part of a brave and honourable man. They were tacitly constrained to confess in the words of him who sat in judgement on the saviour of mankind, "We have found no fault in this man."

In the estimate which is generally formed of the character of an individual, when the principles on which that estimate is founded, are the result of malevolence or hatred, it frequently

and fortunately happens, that in the blindness of our prejudice, we deny to him those very qualities, which he is known by his intimate acquaintance to possess in a very superior degree. Mr. O'Connell's opinions on the subject of duelling are well known to accord with the generality of those who move in the same sphere of life as himself; as a christian and a philanthropist he may decry and reprobate the custom, but as a man constrained to conform to the common usages of society, he could not depart from them without exposing himself to the imputation of being under the influence of cowardice, a weakness never overlooked in the individual who pretends to the character of the well bred gentleman. The enemies of Mr. O'Connell, however, denounced him as a sanguinary, bloodthirsty Catholic, as a man who took delight in the shedding of the blood of the Protestant, and who was ready to draw his sword, or fire his pistol, against all who professed a faith differing from his own. If, however, we follow Mr. O'Connell into private life, where the real character of the man truly and accurately exhibits itself, we there find him a man of much goodness of disposition, possessed of much benevolence, domestic feeling and kindness for the human race. There is scarcely one relation of life which Mr. O'Connell does not fulfil with exemplary rectitude; for although we in charity may overlook some of those indiscretions which are the concomitant of youth, we should not feel disposed to avert our view from them, were they exhibited at a riper age. In no instance did Mr. O'Connell ever, as a youth or a man, forfeit his claim to the character of a philanthropist or a moralist; and if such be the case, and there is no reason to doubt it, for his public career does any thing but contradict it, his being the instrument of the death of a fellow being, must have afforded him no little serious uneasiness; and, in fact, that such was the case, is evinced by the solemn step which he took of making a vow, which, he says, is registered in Heaven, that under no circumstances, nor under any provocation whatever, will he ever fight another duel. This circumstance has, however, been seized upon as a handle by his enemies to offer him the greatest insults, at the same

time that they allege against him, that he allows himself an unlimited excuse in his attacks upon others, from the consciousness that he is not to be called upon for that satisfaction, which an individual, under any other circumstances would be called upon to give. Frequently has it required an impurability of temper, a positive stoical apathy, to bear the taunts and sarcasms which his opponents in the House of Commons have levelled at him on this account. If, in the warmth of debate, he uttered a sentiment not exactly within the limits of parliamentary courtesy, he was taunted with the remark, that he would not have dared to make use of the offensive expression, if he did not know himself protected by his vow in heaven.

Mr. O'Connell had, however, scarcely recovered from the effect of his duel with Mr. D'Esterre, than he was involved in another hostile affray with Mr. Peel, (now Sir Robert Peel) then Secretary for Ireland. It must be admitted, that in the present instance, like that of Mr. D'Esterre, Mr. O'Connell had called down upon himself the hostility of Mr. Peel, by the intemperance of the language, which he used at one of the meetings of the Catholic Association, where he was too prone to employ his unrivalled powers of eloquence in the attack on the character of individuals who had rendered themselves obnoxious to him by their political or religious opinions. The passage in Mr. O'Connell's speech, which gave offence to Mr. Peel, was as follows:—

"All I shall say of him (Mr. Peel) by way of parenthesis, is that I am told, he has, in my absence, and in a place where he was privileged from any account, grossly traduced me. I said, at the last meeting, in the presence of the note takers of the police, who are paid by him, that he was too prudent to attack me in my presence. I see the same police informers here now, and I authorize them carefully to report these my words, *that Mr. Peel would not dare, in my presence, nor in any place where he was liable to personal account, to use a single expression derogatory to my interest or my honour.*"

On this expression of Mr. O'Connell coming to the know-

ledge of Mr. Peel, he obtained the interference of Sir Charles Saxton, who published the following account of his proceedings. —On the morning of Thursday the 31st of August, I called upon Mr. O'Connell, and informed him, that Mr. Peel, having understood that he expressed a wish, at a public meeting, on Tuesday last, that some communication should be made as from him to Mr. Peel, was desirous of learning the purport and terms of that communication, and that I had waited on him, from Mr. Peel, for the purpose of obtaining them.

"To this application, after ascertaining that what he should say would not subject him to any consequences, either of law or parliamentary privilege, Mr. O'Connell stated the expressions used by him on the occasion referred to, in terms so substantially the same as those contained in the report of his speech at the public meeting before mentioned, in the *Dublin Chronicle*, that I was induced to take that paper from my pocket, and read from it that passage which related to Mr. Peel, remarking to him its similarity with what he had just stated; to this remark he assented, admitting that it was what he had said.

"Upon this, I observed, that as it was clear his speech alluded to something that had fallen from Mr. Peel in Parliament, I was empowered by Mr. Peel to say to him, that there was nothing which he had ever said, or that he had seen reported as said by him with respect to Mr. O'Connell, that he did not unequivocally avow, and for which he would not hold himself responsible.

"As Mr. O'Connell did not offer any thing directly in answer to this communication, but was proceeding to comment on Mr. Peel's conduct on this occasion as handsome and gentlemanlike, which he subsequently repeated, with a desire that his opinion to that effect might be conveyed to Mr. Peel, I took occasion to say, that I presumed Mr. Peel might expect to hear from him, in consequence of the communication he had just received.

"His answer was, that it certainly was his feeling that a communication from him to Mr. Peel ought to follow, but that he

must advise with his friends, for that, indeed, the nature of the communication with which I was charged, seemed to make that course necessary. To this observation I replied, that putting together the expressions he had then acknowledged, and the communication then made to him from Mr. Peel, the conclusion was easily drawn.

"On parting, it was settled, that whatever communication Mr. O'Connell should have to make in consequence of what had passed, I might expect to receive at the house of Mr. Ottley.

Mr. Lidwill having called there in my absence to inquire for me, stating that he came from Mr. O'Connell, and leaving word where he was to be met with, I went to his hotel, the moment I received notice of his visit, and on being introduced to him, began the conversation, by acquainting him, that I had called, having heard that he had some communication to make to me from Mr. O'Connell, in consequence of a communication I had made to the latter, Mr. Peel's desire, the particulars of which I began to state in the terms I had conveyed them to Mr. O'Connell, and had proceeded so far as to repeat the words in which Mr. Peel avowed, whatever expressions had been used by him in Parliament—when I was interrupted by Mr. Lidwill, desiring in the first instance to speak, as he came from Mr. O'Connell, and to inform me that having been made acquainted by Mr. O'Connell, who, he subsequently added, had placed himself in his hands, with what had passed between him and myself that morning, he had called on me, not from a conviction that any communication from Mr. O'Connell to Mr. Peel was necessary, but lest my conversation with Mr. O'Connell might have led me to expect a hostile message, which, it was Mr. Lidwell's opinion, that Mr. O'Connell was not called upon by the circumstances to make.

"Mr. Lidwill followed up this statement with a good deal of his own reasoning on the matter, which I do not consider it necessary to relate, as it did not go in the least degree to remove the conclusion, that Mr. Peel was to expect no communication from Mr. O'Connell."

The foregoing statement was published by Sir Charles Saxton, in the Dublin Correspondent, and drew forth the following counter statement from Mr. O'Connell.

"*To the Proprietor of the Freeman's Journal.*

Sir,—The very novel and extraordinary course pursued by Mr. Peel and Sir Charles Saxton having terminated in a newspaper publication, I beg of you to publish for me the enclosed letter, which I received from my friend Mr. Lidwill.

The dexterity of my adversary, in publishing on Saturday evening, has given him, what, I suppose, he estimates highly, one day's *talking* at me. This paltry trick he resorts to, and yet he declares that he feels anxious for an early statement of a transaction which occured two days before.

The conversation between Sir Charles Saxton and me, is very inaccurately stated by that gentleman in the *Correspondent.* I will only notice two particulars; first, his omitting to mention that on my expressing my own opinion on the fitness of my sending to Mr. Peel, I added, "any friend would disappoint my hopes and wishes who should advise me not to call on Mr. Peel;" and secondly, his inserting the last reply, which he has attributed to himself, *not one word of which did he utter in my presence.* For the rest I leave the case to the Irish public. I have disavowed nothing,—I have retracted nothing,—I have refused the gentleman nothing. I have only to regret that they have ultimately preferred a paper war.

"I am, Sir,

Your obedient humble servant,

"DANIEL O'CONNELL."

"Saturday, Sept. 2, 1815.

Kearne's Hotel, Kildare Street.

"My dear O'Connell,

"The statement relative to your affair with Mr. Peel, made by Sir Charles Saxton, in the *Correspondent* of this night, in which he says so little and suppresses so much of what passed between himself and me on that subject, renders it necessary that I should communicate to you, in regular order, the

whole of what occurred between us on both the days he waited on me here, leaving you at liberty to make what use you please of the information; when the public shall be informed that he spent twenty minutes with me on Thursday, and forty-two minutes on Friday, (the visit on which day, and the object of it, he studiously conceals,) in discussing the transactions which caused both interviews, and shall contrast it with the letter he reports of what must have passed in such a space of time; it will naturally draw a conclusion different from the object he had in view, in making that statement.

After hearing from you, Sir Charles Saxton's communication from Mr. Peel, and resisting the view you took on the subject, I went to Mr. Ottleys, where not finding Sir Charles, I mentioned to Mr. Ottley, I came for the purpose of letting Sir Charles know (had he been there) that I did not conceive any thing which had passed between you and him on that day, altered the relative position in which you and Mr. Peel heretofore stood, or rendered it in any way necessary, that you should make through me any hostile communication to Mr. Peele, but that if Sir Charles should wish to see me on the subject, I would wait at home until six o'clock, leaving him my address. He came to me nearly at that hour, and was proceeding to detail what passed between you and himself, until I interrupted him by mentioning what I said, as above, to Mr. Ottley, and giving it as my fixed opinion, that it was not you who should commence any hostile proceedings.

"He then resumed his narrative of what passed between himself and you, and added that you thought differently from me on the subject, for though you said you would act under the control of your friends, yet that any friend, who would advise you not to send to Mr. Peel, would be, in your opinion, much mistaken and disappoint your wishes, or words to that effect. This was the only point in which your report and Sir Charles Saxton's of your interview in the morning did not exactly agree; but this and some observation on his part, tending to alter my opinion compelled me to assign the reasons

which determined me to decide for you as I had done. I then told him that the asperity of the language you had used respecting Mr. Peel, while under the impression of receiving ill-treatment from him, had been so grossly offensive, that I still considered you to be the aggressor, that the English language did not admit of an expression more galling and debasing than to say of any man he would not dare to do in the presence of another, what he did in his absence; that it was a broad and unqualified charge of cowardice, which a denial or even an offer to prove unfounded, was not sufficient to repel, that though it may tend in some respect, to set up the individual so abused, yet it did not go to punish the insult, that this impression was strongly fixed on my mind, that I told you, if you persisted in wishing to send a hostile communication to Mr. Peel, I must decline any further interference on your part, for it would be an unjustifiable prodigality of your own life, and a wanton aggression on that of another.

"After some little pause, Sir Charles Saxton asked me, if I knew what were the observations of Mr. Peel in Parliament of which you complained. I candidly acknowledged I had not seen any report, which could justify your charge on him, but that you mentioned to me, he had said, in quoting some passage of a speech of yours, that in quoting you, it was not an ordinary individual, but one who could lead the Catholics of Ireland to his own purposes, and broadly insinuating that their purposes were dishonest. Sir Charles instantly replied that Mr. Peel never said any such thing, nor any thing which justified personality to him; that he got every report he could, and no one bore any such feature, and that he would avow every one he saw, or any thing that he had said. I agreed with him as far as those I had seen, and mentioned my regret at the observations which you had made respecting Mr. Peel. He then apologized for trespassing so long on my time, and as he was going, I again repeated, to avoid any misconception, as I then observed, my opinion that it was not from *you* any hostile proceedings should come, for the reasons I before stated. Thus ended the business of Thursday.

"On Friday, I waited at home until one o'clock, thinking it probable that on consideration, he might judge it necessary to come to me again. Between that hour and half-past two, he called twice, and the last time he left the following note.

"'Sir Charles Saxton did himself the honour of calling on Mr. Lidwill this morning, for the purpose of asking a few minutes conversation with him on the subject of their conference of yesterday, but, unfortunately, finding him from home, is under the necessity of troubling him with this note, to request he may be informed as soon as Mr. Lidwill returns to his hotel, by a line addressed to him at Mr. Ottley's, No. 4, Ely-place, where Sir Charles Saxton will remain in expectation of Mr. Lidwill's answer.

"'4, Ely-place, Sept. 1, 1815.

"'George Lidwill, Esq. Kearn's hotel, Kildare-street.'

"In consequence of my acquainting him I was then at my hotel, he immediately came there. I must here observe, that at that moment I sent to inform him that I was at home, I also wrote a note to you, which I suppose you have, desiring that the horses might be in waiting, as I would appoint an immediate hour and the nearest field in the county of Kildare to the town of Colbridge for the meeting, which I supposed Sir Charles was coming to require. The following are the copies of my note and of your answer.

"'My Dear O'Connell,

"'Sir Charles Saxton called on me twice while I was absent from this. The last time he left a note to say when he would hear I was at home, he would again call on me. I expect him every moment, and, therefore, write this to you to have horses ready, as I will appoint the first field adjoining Colbridge in the county of Kildare, and an immediate hour for meeting, which I must naturally think he is now coming to require.

Friday. G. L.

Daniel O'Connell, Esq.

The following is Mr. O'Connell's reply.

" My Dear Friend.

Do just as you please, I only think the county of Kildare ought to be the place. I care not where, there. Every thing will be ready, expeditiously. My family would be less alarmed if we postponed it till morning, but do just as you please I will remain here. " Yours,

Harcourt-street, Friday. DANIEL O'CONNELL.

" To G. Lidwill, Esq.

" You may judge my surprise, when on his entering my room, I saw him hold out some papers, which, he said, he wished to show me, as containing the substance of what passed between us on the day preceding. Before he read two paragraphs of the first paper, I observed, I could not agree with him. He attempted to alter my view. He did not succeed. I offered to meet him with my notes, and to agree on a mutual statement, if we could. He declined it. He told me, while altering, he intended to publish, but very briefly. I answered I could neither agree to the correctness of a partial publication, nor admit the correctness of such parts as he had read. He then said for the first time, that when I told him the day before, that I did not judge the communication, he, Sir Charles had made to you, rendered a call on Mr. Peel necessary on your part, he considered his mission as at an end, and that every thing I said afterwards was reasoning. I told him I could not agree with him, for there was no other subject common between us, and that I considered he was even *then* on that mission. He asked were there not some things said by me, which I would not wish to have published? I replied not, for every word which I had used, would only more strongly prove how firm my conviction was, that it was not from *you any thing hostile should* proceed. Then rising to depart, he said, I have shown you this paper. I answered, I will not admit what I have seen of it to be correct, and I shall make my observation on whatever you publish, and add those reasons I have given for the opinion I entertain. He then left me

about four o'clock. While he was altering what he had brought with him, I wrote out the paragraph, in which I mentioned my opinion that you would not be justified by any thing which had passed in calling on Mr. Peel; he said it was substantially correct, and I must say, it was nearly what he has published on that head.

"This is the substance of what passed, committed to paper on each day, as soon as Sir Charles Saxton had left me. You know how tenacious my memory is, and how perfectly this agrees with what I related to you after each interview. If I delivered a message under these circumstances, to what reproaches should I have exposed myself. Should I do so, because his friend had said he would avow a report, which would prove you had been unjustifiably severe on Mr. Peel? did he say he would avow any thing, which was either insulting to, or untrue of you? did he tell you, you were either a calumniator or a liar?—no he simply said, he would avow any paper which he himself had seen, or any thing which he himself had said, neither producing the one, nor re-asserting the other. Did his simply denying your reflection or your want of spirit was neither just nor well founded, inflict any punishment on you for so mortifying an insult? reason by analogy. If a man tells me I am a liar, in a certain assertion, will my denying it, and even adducing circumstances to prove I was correct, set me right under such a charge? I will thereby shew I did not deserve the imputation. But must not I, to ease my own feelings, and satisfy the public opinion, seek other reparation for my wounded honour?

If I had delivered a message, and was called on to state the grounds of it, would it be deemed a sufficient excuse, that Mr. Peel had said he was responsible for what he had said, or what he had seen reported of him to have said, without knowing, or his avowing what that was, or that either was offensive?—no, then there was but one plain and obvious course to be pursued by me; that was (in case you had been approached in a different manner (to call on you, either to produce some docu-

ment to justify your asperity, or if you could not do so, to advise you to admit you had acted under an erroneous impression, and to express your regret.

"I am not inclined to doubt the courage of any man, if I was, the character of Mr. Peel in that way would not be raised, in my estimation, by his conduct on the present occasion. Labouring under a charge, which he has given ample evidence he deeply feels, he might have led you to the field, but, in place of that, he has compelled you to follow him to the printing office. In a transaction, in which I know I was not only accountable to the public, but, eventually, might be awfully responsible to my Maker, I acted with the most mature deliberation. Whether I am as competent to form as just a conclusion on such a subject as Sir Charles Saxton, our countrymen must judge, but, whatever that judgement shall be, I should be unjust, if I did not take the entire responsibility on myself, or I acted throughout without respecting your feelings on the occasion.

"Your's &c.

"GEO LIDWILL."

"Daniel O'Connell, Esq. Merion Square."

This letter of Mr. Lidwill, although couched in respectful terms, was by no means calculated to allay that asperity of feeling, which existed between the parties. Mr. Lidwill evidently did not wish to exhibit Mr. O'Connell in the character of the aggressed, but rather in that of the aggressor, although there was some difficulty attending the attempt, for it was evident, that Mr. Peel was the aggressor, in as much as the whole altercation arose on account of some words uttered by Mr. Peel in the House of Commons, defamatory of the character of Mr. O'Connell. This was certainly the first act of aggression, and in the words imputed to Mr. O'Connell in his speech at the Catholic Association, he retaliated upon Mr. Peel for the language which he had made use of in the House of Commons. Under these circumstances, Mr. Lidwill's own view of the case,

prevented him sending a hostile message to Mr. Peel, who, in his opinion was the aggressed; and, on the other hand, Sir Charles Saxton endeavoured to shew that Mr. O'Connell was the aggressed; and thus, between the two opinions, it was difficult to come to a decision, as from whom the hostile message was to proceed. Mr. Lidwill's statement of the case, however, no sooner appeared in print, than Sir Charles Saxton published the following explanatory statement.

"Dublin, Sept. 5, 1815.

"Sir,—For the sole purpose of vindicating the accuracy of my statement, inserted in the *Correspondent* of Saturday last, and in consideration of the period which must elapse before I could make known the following particulars, in the ordinary course, I have to request you will give them an early insertion in your paper.

"Mr. Dickenson, who waited on Mr. Lidwill at my request, obtained an interview with him early this morning, and received from him the admission annexed to the requisition, which are contained in the following paper, subscribed by Mr. Dickenson.

1st. His admission that after he had delivered the sentence contained in my Report, viz. "that it came from Mr. O'Connell," &c. and ending, "Mr. O'Connell was not called upon by the circumstances to make." Whatever conversation passed between us was prefaced with an observation from me, "that as between ourselves, I might then be permitted to remark to him, &c." my remarks going to my view of the turn the affair in question had taken.	Although I do not remember to have heard this expression on Thursday from Sir Charles Saxton, I believe it to have been then the impression on his mind that he was speaking from himself, and not from Mr. Peel.
2dly That in using the	I did not intend to charge Sir

term "suppresses so much," and again, "studiously conceals," Mr. Lidwill does not mean to impute intentional misrepresentation.

Charles Saxton with misrepresentation, in using those words.

3dly. That, as well in the relation, which in my first interview with Mr. Lidwill, I gave him of what passed between me and Mr. O'Connell as in the written statement I read to Mr. Lidwill on the following day, he more than once repeated, that there was no disagreement between Mr. O' Connell's statement and mine, except in the very passage, which I subsequently erased, and for the insertion of which, Mr. O'Connell has since contended, viz. that he thought the office of a friend would be ill discharged by any one who should dissuade him from a hostile step.

I admit this in substance but there may have been some variation in the words of the quoted passage. This is admitted in my statement.

4th. That the phrase I assert to have been used by me, viz. "putting together the expressions Mr. O'Connell had then acknowledged, and the communication then made to him from Mr. Peel, the conclusion was easily drawn," made part of my statements to Mr. Lidwill, both oral and written, and that, in my second interview with him on

I do not recollect those words, but Sir Charles Saxton expressed himself to me as having more strongly intimated to Mr. O'Connell his expectation of a communication to Mr. Peel; and finding no variance between Mr. O'Connell's report and Sir Charles Saxton's statement to me of what had passed between them (Sir Charles Saxton Mr.

Friday, when stating the variance between my account and Mr. O'Connell's, although he informed me, that he had noticed that variance (as it appeared to him to be) to Mr O'Connell, he did not give me to understand, that Mr. O'Connell himself had made any objection, either to my accuracy, in this respect of the passage last above quoted.

5thly. That the mention of Mr. Lidwill's regret at the observation uttered by Mr. O'Connell preceded any question of mine, at any conversation respecting the import of the words attributed to Mr. Peel, and that on hearing them from Mr Lidwill, my observation was, "that I did not believe they were ever used by Mr. Peel and that I had searched for them as far as lay in my power," but that the words "personal hostility," were never introduced by me.

6thly. That his objections to my written statement were not offered until I had finished reading that part which recited my conversation with Mr. O'Connell, and Mr. Lidwill's objection then was that the paragraph referring to words used by Mr. Lidwill, viz, "that

O'Connell) except that Mr O'Connell had not mentioned to me his remark, in respect of his being dissuaded by any friend, of course I did not at my second interview, or at any other time give Sir Charles Saxton or Mr. O'Connell to understand, that any variance existed between their statements.

I admit, that I frequently expressed my regret, but at what periods, I cannot say and that he, Sir Charles Saxton's remark concerning the use of the words attributed to Mr. Peel, was his own answer to my quotation of the supposed words.

The words "personal hostility," were never used, but "personality" was.

I refuse to agree to this.

Mr. O'Connell did not feel himself called upon to take any step in consequence of Mr. Peel's communication should have been as it is now printed, viz. that he, Mr. Lidwill did not think Mr. O'Connell called upon by the circumstances to send any hostile message.

7thly, That it was not until I asserted that it was unnecessary for me to insert Mr. Lidwill's reasoning on the subject, that he declared he could not admit any part of the proposed statement.

I admit that it was after Sir Charles Saxton said that it was unnecessary for him to insert my reasoning, that I declared I could not admit any part of the proposed statement.

(Signed) J. P. DICKENSON.

From the 6th article Mr. Lidwill dissented; and also required that the declaration subjoined hereto should be considered preliminary to any publication of his admission, viz.

"I make this explanation, in answer to Sir Charles Saxton's minute, under the stipulation, that my declaration,—'That I entered more freely into an explanation, because I was in the custody of the magistrate, and my arm tied up, therefore, I could not be supposed to be under any other influence on earth, but a sense of what was right, shall accompany any publication or statement made of my explanation.

I am, Sir, you obedient servant,

CHARLES SAXTON.

To the foregoing statement, Mr. Lidwill published the following reply:—

To the People of Ireland.

Sir Charles Saxton again precedes me in publication. That, which I have read in *the Correspondent* of last night surprises me not a little, for these reasons;

First, That he should not resort to any publication at all, under the circumstances in which he and I now stand mutually pledged.

Secondly, That he should have published, as explanation given, those which were only admitted would be given by me under a condition which his friend refused to comply with, and which he was told by me, if he quitted my apartment without complying with, the whole was at an end.

"Thirdly, Sir Charles, in his publication, has complied with the very condition demanded by me, and objected to by his friend, namely that the admission required of me, which I rejected of it, in my statement to be published. His friends had offered to withdraw his proposal, and then to take the other explanations, as I was satisfied that I could give them.

For these reasons his publication has superseded me.

Now, a word as to the explanations.

First, That I admitted my belief of an impression upon his mind, "that in the instance referred to, he was speaking from himself, and not from Mr. Peel."

This I could not have doubted; not only because he subsequently said so, but because he took the trouble to impress such a belief upon my mind by an extraordinary species of argument, namely, by distinguishing his personal from his representative capacity, and observing that he could not hear some of my arguments in the former capacity, though not in the latter. To the validity of this distinction I did object.

Secondly, The English language will not admit the expression "suppressing and conceding," under any circumstance, to be "misrepresentation," but certainly not in the instance before us relative to Sir Charles Saxton, for he admits, in his own statement that a great deal was said by me, which he calls "reasoning," and forebore to relate, because it did not go to remove the impression then upon his mind. This does not appear to be "misrepresentation," though certainly a material "suppression."

The third explanation is exactly what is stated by myself, in my letter of last Saturday, to Mr. O'Connell.

The fourth is stated.

The fifth, "that I expressed my regret at observations originally made by Mr. O'Connell relative to Mr. Peel, "this will be deemed most natural, when it is recollected, that it being my object to prove, that the first hostile message should come from Mr. Peel, it was my argument to make Mr. O'Connell appear as much in the wrong originally, as my sense of his error would admit: and I have already stated in my letter to Mr. O'Connell, that I did express that regret.

As to the latter part of that explanation, relative to the remark made by Sir Charles Saxton as to the words attributed to Mr. Peel, I must consider the remark to have been Sir Charles' own, inasmuch as Mr. Peel, could not have foreseen what answer I could make to Sir Charles' question.

"Personality," was the term, which I asserted in my letter to Mr. O'Connell, to have been used by Sir Charles and to the use of that term by him I adhered in my explanation.

The sixth admission required, was the only one which, in my opinion, militates against any part of the statement in my letter to Mr. O'Connell; and I rejected it at once; and demanded that it should be inserted as having been required by him, and rejected by me; and thus prove to the public that I would be as firm in refusing what I ought to resist, as willing to explain what I ought to explain.

Sir Charles Saxton's friend refused to consent to this demand; but said that he would withdraw it entirely, as if it had not been proposed, and let the explanation, No 7 stand in its stead, as No. 6.

The seventh explanation is as stated.

Whilst Sir Charles Saxton was altering his notes to meet my objection, and whilst I was transcribing that passage which he said was substantially correct as reported in my letter to Mr. O'Connell, and which I admitted was correctly published by him, Sir Charles observed, that his publication would be brief, for that he would not publish my reasoning. I then rose, and said that I would not consent to a partial report, or agree to the correctness of his notes, as read to me, inasmuch as I

did not then know whether he would publish that of mine, which he said was substantially correct as that of his own, which he read to me before he began to alter.

Guarding against any possible future event, I wished to give you every information relative to that part of my conduct, which has been prematurely brought before you by Sir Charles Saxton, and boldly call upon the people of Ireland to compare these explanations as given by him, with the statement contained in my letter to Mr. O'Connell; to look at the declaration which I stipulated should accompany any publication of those explanations, and then to decide whether my honour is or is not unsullied.

I go to the Continent in your quarrel, for I have none of my own.

I go under the heart-rending circumstance of being obliged to put to the test, the fortitude of a dearly-beloved and affectionate child, in a delicate state of health, and whose only surviving parent I am, by confiding to her the truth, to save her from the torture of doubt—but I go on behalf of a country in which I have drawn my first breath—I go for a people the more endeared to me by their misfortunes, and for a cause to which my last words bear evidence of my fidelity.

I feel no uneasinesss for my character in my absence; whether I may be present, yours shall never be tarnished in my person.

GEORGE LIDWILL.

The circumstance to which reference is made in Mr. Lidwill's letter is very curious, and one which puts the publication of Sir Charles Saxton's statement in a new and singular point of view. The reader will be of this opinion, when he is informed that on the day previously to the publication of Sir Charles Saxton's letter, it was expressly stipulated between the friends of the parties, that Sir Charles and Mr. Lidwill should meet in Calais on the same day of that month.

The following may be considered as an accurate statement

of the correspondence which took place on this extraordinary affair.

On Monday, 4th September, 1815, at half-past six o'clock in the evening Colonel Brown called on Mr. O'Connell, and delivered to him the following letter from Mr. Peel.

Dublin Castle, September. 4th, 1815, six o'clock.

Sir.—Having seen in a newspaper of this evening a letter bearing your signature connected with a communication which I have recently made to you, imputing to me a paltry trick," and concluding with the expression of your regret, that I had "ultimately preferred a paper war," I have to require that you will appoint a friend who may make with Colonel Brown, the bearer of this letter, such arrangements as the case requires.

I am, Sir, &c. &c. &c.

ROBERT PEEL.

Daniel O'Connell, Esq.

It was fixed by Mr. O'Connell, that Mr. Lidwill should call upon Col. Brown, immediately.

At eight o'clock, Mr. Baldwin called to apprise Col. Brown, that Mr. Lidwill was out of town, but that he might rely upon hearing from Mr. O'Connell early in the morning.

At seven o'clock on the morning of the 6th, Col. Brown having received no communication, wrote to Mr. O'Connell on the subject of the delay, and Mr. O'Connell immediately sent the following note in reply.

Mr. O'Connell presents his compliments to Col. Brown, and with the utmost concern begs to inform him, that the delay to which his letter alludes has been caused by a circumstance of the most painful nature,—his having been put under arrest by the sheriff, which is still aggravating to his feelings, from its having been done at the instance of Mrs. O'Connell, who was agitated by the publications in the newspapers, and sent privately, after he had gone to bed, to the sheriff.

Mr. O'Connell will, the first possible moment, send a friend

to Col. Brown to make such arrangements as the present state of things renders necessary.

Union Square, 5th Sept. 8 o'clock.

At the time Col. Brown called, Mr. O'Connell was at dinner with his family, and Mrs. O'Connell, whose apprehensions were excited by the publications which had previously appeared in the newspapers was naturally alarmed by the visit of an officer, who held a place at the castle, and with whom Mr. O'Connell had no personal acquaintance. Hence she was prompted to make a communication to the sheriff Fleming, of which communication Mr. O'Connell was apprised on the following morning, and he thus candidly states it, but Sheriff Fleming, after arresting Mr. O'Connell, unreservedly declared, that he had made the arrest in consequence of an authentic communication, which he had received, before he had any communication whatever from Mrs. O'Connell.

At two o'clock Mr. Bennet called upon Col. Brown, and mentioned that Mr. O'Connell had just quitted the Chief Justice, where they had been detained till that moment, or he would have called sooner. He accounted to Col. Brown for the appearance of delay, through his having been called to town by an express despatched to Mr. O'Connell the night before, to his house, in the county of Kildare. The following agreement was made between them :—

Mr. Bennet waited on Col. Brown from Mr. O'Connell, to answer the call from Mr. Peel, and stated, that inasmuch as he (Mr. O'Connell) is prevented by his recognizance just entered into, from giving him a meeting within the reach of it (the united kingdom,) that he is ready to give such meeting at the most convenient part of Europe; that Mr. O'Connell is now ready to go, but will make the time of meeting convenient to Mr. Peel, at any reasonable distance.

Col. Brown being fully authorized by Mr. Peel, accepts the arrangements for the meeting of the parties as suggested by Mr. Bennet.

And proposes that Ostend should be the place of rendez-

vous, at which place, the parties, as they arrive, should leave their addresses at the post office.

Col. Brown suggests that as it is impossible to fix a day for meeting, where the seas are to be crossed, that it be left to the discretion of the parties to use all convenient speed in reaching Ostend.

Colonel Brown suggests that the parties should engage and bind themselves to keep this arrangement in secrecy, as much as possible, consistently, with their convenience.

If either party should find it convenient to delay the journey for two or three days, it is at their option, giving notice.

Ostend is named as a place of rendezvous, but on the arrival of the parties, they may fix any place on the continent more convenient.

S. BROWN
Dublin, Sept. 5, 1815. R. H. BENNET.

In the evening of the 5th, Mr. Bennet informed Colonel Brown, that he found more delay necessary in leaving Ireland, than he had first expected, and added, that he would write to Colonel Brown on the subject.

On the next day, Sept. 6, Colonel Brown having early in the morning intimated to Mr. Bennet, Mr. Peel's intention of leaving Ireland that night, addressed the following note to him:—

Colonel Brown presents his compliments to Mr. Bennet, not having received the letter which he has expected from Mr. Bennet, he has only now to enquire if Mr. Bennet has anything further to communicate to Colonel Brown before he leaves Ireland, and to say, that he feels assured that their arrangements are so fully understood that a misundertanding is not possible.

20, Stephen's Green, 6th Sept. 3 o'clock.

After this note had been despatched, the following letter was received from Mr. Bennet, and the answer annexed returned by Colonel Brown.

Sir,—I received from you this morning, an intimation that

Mr. Peel intended sailing for England this night. I beg to remark, that the right of appointing the time was originally vested in me exclusively, and I did not conceive that there would be any difficulty in my adding a few days to the time at first proposed for my personal accommodation, when I conceded to you the fixing of the time as it now stands, in courtesy to Mr. Peel's public situation. This surely was not unreasonable on my part, having had no idea on leaving my country house, that the business would not have terminated here yesterday. But, being disappointed in this hope, it now only remains for me to apprise you, that Mr. O'Connell leaves town to morrow morning for the south of Ireland, and will embark at Cork, or Waterford, and use all convenient speed in proceeding to the continent. If a vessel can be had, and the weather answers, he intends to go all the way by sea. He prefers going by the south, from reasons suggested by the circumstances in which he now stands, all mainly tending to insure the certainty of the intended meeting; and for the same reason, he intends to proceed by water to trusting himself in England, where the officiousness of ill-judging friends might obstruct him.

It is my wish to change the rendezvous to Calais, in order to accelerate the meeting, and as more consistent with the original intention, *i. e.* appointing the most convenient part of the continent. (which I consider nearest), and Ostend being fixed upon under an erroneous impression.

I have, &c.

Harcourt, Sept. 6. R. H. BENNET.

P. S. I am just leaving town; my address in the country is Newberry, Edenderry, where I shall be happy to receive any further communications you may deem necessary, and shall be happy to co-operate with you in rendering the detail of this unpleasant business as little burthensome as possible to yourself.

Dublin, 6th Sept. 1815.

Sir,—At three o'clock this day, my servant left a note at

your House, in Harcourt Street, since which hour I have received your letter, dated two o'clock. Upon its contents, I must observe, that Ostend was fixed upon by us to be the place of rendezvous, upon various grounds, most of them suggested by yourself, which made it appear to us the most eligible place. Calais and Hamburgh having both been under our consideration, I shall, therefore, proceeed with Mr. Peel to Ostend, in fulfilment of the agreement.

I presume I am to consider your letter as a notice of the intended delay of your journey, as specified in our agreement.

I cannot pass by your desire, to render the detail as little burthensome as possible, without acknowledgement, and with this view I mention, that should any communication occur to you as necessary to be made previous to your leaving Ireland, it may be addressed to me No. 20, Stephen's-green, and it will be forwarded.

To obviate as far as possible all obstructions to our arrival at Ostend, we leave this place to night.

I scarcely need remind you of our agreement, that though Ostend is named as the place of rendezvous, on the arrival of the parties, they may fix any place on the continent more convenient.

I have the honour to be
Sir,
Your most obedient servant,

S. BROWN.

The same day, Colonel Brown received the following letter forwarded to him from Dublin.

Sir,

I had the honour of your letter of the 6th instant, by the post of yesterday, and hasten to reply to the only part of it that appears to me material to notice, until we meet, viz,— "Whether you are to consider my letter as notice of the intended delay of Mr. O'Connell's journey," I do not entirely agree with some of your impressions on the transaction between us. With respect to that part to which I allude, I have

to say, that I told you that I required a few days to prepare myself, having come to Dublin, unprepared to go further, and I proposed to specify that time, but as you declined to enlarge our agreement, and as Dublin is not the place of embarkation, whatever time, the agreement allows will be taken by Mr. O'Connell in the south, exclusive of the time occupied in travelling. On his arrival at Cork, if a vessel can be procured direct for the place of rendezvous immediately, or in a few days, he will embark, but if not, he will proceed to Waterford, and if a vessel can be got there for that place, he intends to go by it. If any considerable delay be likely to arise from such conveyance, he proposes to go in the packet to Bristol, avoiding a journey through England at all, or as little as possible, for reasons before stated. Mr. O'Connell is to write to me promptly on ascertaining, whether it be probable that he can proceed from Cork by sea. If the opportunity be immediate he will go on without me, and I will follow, without a moment's delay, as well as I can. I am here nearer Cork or Waterford than at Dublin. As there is uncertainty, whenever seas are to be passed, and especially in a long voyage, in order to save you and Mr. Peel inconvenience, I beg to suggest that it would be better not to pass over to the Continent, until you are apprised whether a vessel can be had direct to Ostend from Cork or Waterford. As I shall not be there to receive an answer, I am at present at a loss how to convey this intelligence to you, as a letter to your house in Dublin, the only address you have favoured me with, would be too tedious, I shall, however, try to discover some way of doing so, if possible. Under these circumstances I have stated, I will lose no time in relieving you and your friend from the suspense which circumstances create in this unpleasant affair.

On the 15th of September Mr. Peel arrived at Ostend. The following note was left at the post-office.

Colonel Brown has the honour to acquaint Mr. Bennet, that having determined to wait his arrival at a short distance

from Ostend, in preference to remaining in the town, Colonel Brown has directed a person to call twice a day at the post-office, for letters; and Colonel Brown will not fail to pay immediate attention to any note from Mr. Bennet.

Ostend, 15th of September.

On the 22nd of September, Colonel Brown received the following letter by post.

12 Argyle Street, Sep. 12th, 1815.

Sir,

Mr. O'Connell and I have arrived here after some delay in the way. We are getting passports for Holland and France, which we expect this evening, and shall leave this to-night, or early in the morning, and proceed without delay. Learning from the papers that you are at Ostend, I direct this there.

On the 23rd of September, Colonel Brown received the following note from Mr. Bennet.

Mr. Bennet has the honour to acknowledge the receipt of Colonel Brown's note of the 15th inst. left at the Post Office. Mr. Bennet hastens to inform Colonel Brown that he arrived here last evening (after the Post-office had closed) leaving Mr. O'Connell in the custody of a Bow-street officer in London; Mr. Bennet will meet Colonel Brown at any house he may appoint this day. Colonel Brown will please to make his appointment by a note left at the bar of the hotel.

Ostend, 23rd Sept. 1815, Hotel Cour Imperiale.

At three o'clock Mr. Bennet met Colonel Brown, and delivered to him the following note.

Ostend 23rd Sept. 1815.

Mr, Bennet informs Colonel Brown, that under the circumstances in which Mr. O'Connell *now* stands, as communicated this morning, it is not his intention to proceed to the Continent. On the part of Mr. O'Connell Mr. Bennet has nothing to communicate to Colonel Brown in addition to what is con-

tained in his note of this morning, save that he thought it his duty to make this communication in person.

From the above, it is manifest that Mr O'Connell sought to reach the Continent with the utmost expedition, and, that had he succeeded in his endeavour to obtain a passage from Cork to Waterford, he would not have attempted to pass through England. But with respect to that gentleman's appearance in this country, after he had entered into recognizance before the chief justice of the King's Bench in Ireland, himself in £5000, and two sureties in £2500 each; and, after that judge had informed him that he was bound by that recognizance to keep the peace within the United Kingdom, how could he have reason to apprehend any further arrest or recognizance in England, or upon what ground should he feel induced to conceal himself? When, however, he was apprised of the arrest of Mr. Lidwill, Mr. O'Connell did endeavour to conceal himself and his name, which was not known at the coffee house until after his arrest. But by the recognizance with which Mr. O'Connell was obliged to enter before Mr. Justice Le Blanc, he was restrained from meeting Mr. Peel's challenge in any country whatever—and here, let us ask, if Mr. O'Connell had, notwithstanding such recognizance given Mr. Peel a meeting, what would have been the consequence had the duel been fatal to Mr. Peel. In that case, Mr O'Connell would have been triable for murder in England; and what would have been the decision of an English court of justice; Mr. Peel's abdication in Dublin of his privilege as a member of Parliament and a privy councellor would, we apprehend, have availed nothing in defence of Mr. O'Connell.

We have already stated that Sheriff Fleming had arrested Mr. Peel on the same night with Mr. O'Connell. After Mr. O'Connell had completed his recognizance before Judge Downes, that judge directed the sheriff to bring Mr. Peel and Sir Charles Saxton before him. The sheriff promised to seek after those gentlemen. Yet neither were ever held to bail.

It was on the morning of Tuesday the 19th of September,

that Mr. O'Connell was arrested at Holyland's Coffee-house, in the Strand, at the moment when he was on the point of stepping with some friends into a coach, to proceed to Hythe, with the view of following the route of Mr. Peel, who was then supposed to be at Ostend. The arrest took place under a warrant from Lord Ellenborough, which stated that information had been given upon oath, before the learned lord, that Mr. O'Connell was about to fight a duel with the Right Honourable Robert Peel. On this information, Mr. O'Connell was required to enter into recognizances, himself in £1000 and two sureties in £500, first to keep the peace within the kingdom, and secondly not *to leave his majesty's dominions until the first day of next term* (November 6th).

The latter obligation of this bond, was considered by many lawyers of eminence as quite of an extraordinary and unprecedented character. Nothing like it was ever heard of before in practice, and no conception could be formed upon what authority it rested. It was only by a writ of *ne exeat regno*, that Mr. O'Connell could be prevented from leaving the country, and his enemies were by no means backward on this occasion in throwing out their imputations, that he must have known as a lawyer, that no judge nor magistrate could put him under recognizances not to leave the country, and, therefore, that, if he obeyed their mandate, it betokened rather a desire to creep out of the affair, under the supposed restraint of the law, in itself not binding, than by resolutely setting it at defiance, exhibit himself in that character, in which his friends expected to see him. It may, however, be asked, how Sir Charles Saxton and Mr. Peel wholly escaped those arrests and recognizances, which threw Mr. O'Connell and Mr. Lidwill into such great embarrassments? Sheriff Fleming, of Dublin, stated, in the most public manner that he had arrested Mr. Peel upon the evening before Mr. O'Connell was taken into custody in his bed, but that he (the sheriff) liberated Mr. Peel without any recognizance. How was this extraordinary proceeding to

be accounted for, and also, that whilst Sir Charles Saxton and Mr. Peel were allowed to leave Dublin, travel through England, obtain passports for France, and sail for Dover, without any obstruction or impediment whatever, Messrs. Lidwill and O'Connell were hunted and watched in every direction. Mr. O'Connell travelled, at least endeavoured to travel *incog* through England. On his arrival at Miford Haven, he and his friends were questioned as to their names which, in itself, was quite an unusual proceeding, and betrayed the vigilance of the government officers upon this subject. It was at a late hour at night that Mr. O'Connell arrived in London, and in the course of the following day, he and his friends had provided themselves with passports, and upon hearing of Mr. Lidwill's arrest, Mr. O'Connell immediately changed his lodgings, but yet he was traced by the police.

On Mr. O'Connell being called upon to enter into recognizances not to leave the country, Mr. Bennet set off for Ostend, to apprise Mr. Peel and his friend of what had occurred. In the meantime, Mr. O'Connell remained in London, as well as Mr. Lidwill, whose friend Mr. Prittie, the member for Tipperary, also set off for Ostend.

In the meantime, the engine of the press was set in motion to give the utmost publicity to this affair, colouring every transaction of it with a dark or glittering hue ; accordingly, as it might suit the political purposes of the party. Unfortunately at this time, the party of Mr. Peel was in the ascendant, for whatever popularity Mr. O'Connell might have obtained amongst his Catholic brethren in Ireland, he was not yet regarded in England with that esteem, which he afterwards so abundantly acquired. It was the opinion of many, that the whole matter might, and ought to have been differently managed; and to Sir Charles Saxton it was attributed as commencing a paper war, that the affair was not brought to a conclusion, without that notoriety, which it appeared to be the aim of the parties to give to it. According to the declarations of the magistrate, government did not interfere at all in the business, but that the discovery, and the arrest of Mr. O'Connell

were entirely the act of the police. This might have been the case, we had only the word of the magistrates for it, but one thing was clear; the challenge *to break the peace* was given by a "placeman, a minister of the crown, an officer of state," whose peculiar duty it was to keep the peace, whilst the person whom he had challenged was alone seized by the police and prevented from meeting his antagonist.

Mr. O'Connell did not proceed to the Continent, leaving behind him the escheat of his recognizances, and having before him the fear of a Flemish gaol. On this occasion, Lord Norbury could not refrain from passing one of his jokes.

Who is this Mr. Under Secretary, Becket, asked his Lordship, who lodged the informations before Sir Nathaniel Conant, and preserved Peel from O'Connell?

Answer. He is the son of a Leeds clothier, his father and Peel's father were formerly partners in the cotton spinning trade, and both have been created baronets.

Oh then, said his Lordship, it is no wonder that the sons should *cotton* to one another.

Contrary to expectation, the affair between Mr. Peel and Mr. O'Connell passed off *cum fumo*, the former returned to his official duties at the castle in Dublin, and the latter to superintend the affairs of the Catholic Association. Nevertheless although the principals did not meet, it was thought necessary that the seconds should stand in their places, and accordingly Mr. Lidwill and Sir Charles Saxton repaired to Calais, whither Mr. Peel followed them with the avowed intention of calling upon the former gentleman, when he had settled his affair with Sir Charles Saxton. The following letters may be highly useful to those gentlemen, who wish to appear in the world as duelists, without any intention at the same time to fight a duel.

Sir, Calais Nov. 19, 1815.

In one of the Dublin newspapers of the 4th September, a letter was published with your signature attached to it, purporting to contain an account of what had occurred between Sir Charles Saxton and you, upon the subject of a transaction in which I was concerned.

If you had strictly confined yourself to a report of that which passed at your interviews with Sir Charles Saxton, I should not have thought it necessary to address you, but you have thought fit to make in addition some offensive comments upon my conduct, which will be pointed out by Colonel Brown, the bearer of this letter and for which I must demand ample reparation.

I am, Sir, your obedient servant,

ROBERT PEEL.

George Lidwill, Esq.

Conferences were then held between Colonel Brown and Major Lidwill, of which the following account is given:—

Calais, November 29.

Colonel Brown having delivered to Mr. Lidwill, Mr. Peel's letter of this date, and pointed out the offensive words therein alluded to, Mr. Lidwill immediately said he could not enter into any explanation on this subject; and as he afterwards explained, presuming that Colonel Brown had heard from Mr. Dickenson the whole of the particulars, he mentioned the result of his meeting with Sir Charles Saxton on the day preceding, stating that he had received Sir Charles Saxton's fire and had not returned it.

Colonel Brown was then referred to Major Lidwill for the usual arrangements.

Colonel Brown acquainted Mr. Lidwill that Sir Charles Saxton and Mr. Dickenson had quitted France before he arrived, leaving him and Mr. Peel in total ignorance of the proceedings of the day before. Mr. Lidwill introduced Major Lidwill to Colonel Brown, and immediately withdrew.

Major Lidwill repeated to Colonel Brown what Mr. Lidwill had said, and read a declaration made to Sir Charles Saxton on the ground, by Mr. Lidwill, and added, that he knew his friends, feeling all the delicacy of the restrictions of the Court of King's Bench had determined on leaving Ireland, not to fire at Sir Charles Saxton.

Major Lidwill having repeated Mr. Lidwill's determination

not to enter into any explanation whatever, Colonel Brown intimated to Major Lidwill, that after these communications, and the knowledge he now had of the feelings and conduct of Mr. Lidwill towards Sir Charles Saxton, he should consider himself guilty of little less than deliberate murder, if he were to permit Mr. Peel to fire at Mr. Lidwill.

Colonel Brown desires, therefore, to close these proceedings on his own responsibility, feeling, that after his above declaration, he can accept no apology, even if offered, nor deliver any message.

The copy of the above proceedings between us is given by me to Major Lidwill.

S. BROWN.

Major Lidwill, in having entered into the circumstances of Mr. Lidwill's affair with Sir Charles Saxton, feels that he would be wanting to his own character, and to the respect he holds that of Colonel Brown in, were he not to declare that under the circumstances of the case, had any fatal event occurred without letting Colonel Brown know the former proceedings, he would be treating both himself and Colonel Brown with an unpardonable degree of impropriety and consideration, and subjecting himself to the most severe reproaches from Colonel Brown, his own conscience, and the world.

MICH. LIDWILL.

To which, Mr. Lidwill added the following note :—

When the above arrangement was handed to me by Major Lidwill, I reserved the power of making the underneath additions from myself, if I should deem it necessary, and communicated that reservation through him to Colonel Brown, viz.

" That after a long conference between Colonel Brown and Major Lidwill, about the hour of two clock (29th Nov.), it was arranged between those gentlemen, that my making the following declaration should determinate the affair, then pending between Mr. Peel and me :—

" That I had great satisfaction in declaring to Colonel

Brown that I would be glad the words were obliterated from Mr. Peel's recollection."

Therefore it was after my avowal of my determination under my then existing circumstances not to agree to any explanation, that Colonel Brown on his return to my hotel at three o'clock, communicated to Major Lidwill his final resolution and the motives which led him to adopt it.

A copy of the declarations I allude to being left with me, I conceive it to be a *fact* therefore, not included in the stipulation between the above gentlemen, viz. "Not to disclose any confidential communication.

GEORGE LIDWILL.

To which Colonel Brown replied.

Sir, Dublin, Dec. 9, 1815.

I perceive that Mr. Lidwill has from himself made the following addition to a statement which Mr. Lidwill and I under our respective signatures bound ourselves should be the only publication made upon the subject of the affair between Mr. Peel and Mr. Lidwill.

"That after a long conference between Colonel Brown and Major Lidwill about the hour of two o'clock (Nov. 29) it was arranged between those gentlemen, that my making the following declaration should terminate the affair then pending between Mr. Peel and me.

"That I had great satisfaction in declaring to Colonel Brown, that I would be glad the words were obliterated from Mr. Peel's recollection."

I feel it incumbent on me, expressly to disclaim any understanding on my part that such an arrangement as that mentioned in the above paragraph was made or that such a declaration could terminate the affair between Mr. Peel and Mr. Lidwill.

In the first place, it was agreed between Major Lidwill and me, that nothing which passed in conversation, should be considered as having passed, unless reduced to writings and signed by us respectively, which was not the case with the arrange ment above alluded to.

In the second place, it was not in my power to close the affair with any thing short of the following apology, which Mr. Peel gave to me, as the only one he was willing to accept, and which I read to Major Lidwill:—

Mr. Lidwill disclaims all intention of offering offence to Mr. Peel by the expression pointed out by Colonel Brown; he regrets that they were used by him; and as the reparation required, has no hesitation in retracting them.

I admit that Major Lidwill and myself discussed the possibility of terminating the affair by an apology with an earnest desire on both sides, that it might lead to an accommodation, but I consider our mediation having failed, no trace of it remained.

I very much regret that after the precaution taken by Major Lidwill and myself, there should remain the possibility of a misconception on any point between us. The object of this letter, is not to discuss that point, but to record that the declaration now published by Mr. Lidwill, never could be considered by Mr. Peel or myself as sufficient to terminate the affair between them.

I am, Sir, your obedient servant,

S. BROWN.

Thus ended this *affair* also, and it must be acknowledged that the character of some of the parties was not raised in public estimation by the transaction; we shall refrain from making any remarks on the style, which distinguishes the whole of this singular correspondence, which considering that it emanated from men of rank and education, would in its construction disgrace an Eton school boy, the whole of it was collected and published, with the pithy remark annexed to it, *for the instruction of those, who wish to know how to send or receive a challenge without any intention of fighting.*

CHAPTER IV.

THE character of Mr. O'Connell was now in a great degree known to the Irish people, and it may be said to the whole of the English. In his official character, he stood pre-eminent, his professional talents were called forth on almost every occasion of importance, and the people looked up to him as one, in whom implicit confidence could be placed; who had showed himself above the low chicanery of the law, and, who, if he had a fault, was sometimes apt to injure the cause of his client by the excessive zeal that he displayed, which sometimes exposed him to the attack of his wily antagonist, who knew how to take advantage of this temporary weakness to make it subservient to his own purposes.

Mr. O'Connell at this period, may well be styled, the Brougham of the Emerald Isle; his surprising and almost surpassing industry enabled him to bound over every obstacle, which the ingenuity of his opponents might throw in his way. At the time, when the judges of Dublin rise, about three o'clock, he had already gone through a mass of business sufficient to waste the strength of an ordinary constitution, and it might have been naturally expected that he would have devoted the remainder of the day, to reading, recreation, and repose. Instead of which, however, he had usually some public meeting to attend, at which he was the presiding spirit, or the popular *Mercurius*, and in the duties of which he appeared to have just started fresh for the labours of the day. Nor did he render the evening a period of much greater rest. Some public dinner was to be held, where he was to be called upon "to speak and speak again," and the conviviality and oratory of which continued to detain him to a late hour. After this, a

short period of necessary repose intervened betwen the boisterous efforts of the last evening, and the calm and profound studies of the early morning, for which no labours nor indulgence of the preceding day ever appeared to unfit him.

These varied scenes of industry and excitement suggest a second and corresponding quality of this surprising man, namely the versatility of his talents, which appear so varied in their texture and exercise as sometimes to carry the semblance of inconsistency.

These vagaries, however, of an ambitious prince of Kerry may be forgiven. We are content to pass from them to the genuine variety of talent which he displayed, and to its corresponding diversity of practical uses and public benefits. Mr. O'Connell was always in the greatest request in jury cases, where he was allowed to be exactly in his element. It has been observed that a Dublin jury was the twelve-stringed harp, upon which above all things, he delighted to play. His powers as a Nisi prius advocate were numerous, and always at command to select and adapt to the claims of each particular case. His skill in the conducting of defences in the crown court was acknowledged and undoubted. But here his versatility seemed to approach nearer to inconsistency, than in any other department of his practice. Habitually bold and sanguine every where else, he was in these cases a model of prudence and caution. Rapid in his usual cross-examinations, he never put a hasty, nor especially a hazardous question; he appeared to ponder well before he spoke, and having gained a point, he darted a look upon the opposing counsel, which was at once a look of triumph and consciousness of superiority.

Much, however, it is to be regretted that Mr. O'Connell in the numerous speeches which he made on the Catholic question, so far, sometimes, forgot himself as to vilify even those, who were working in the same vineyard as himself, and who although they might not go all the length, to which he carried his designs, yet, who on the whole were his able and zealous coadjutors in accomplishing the great work of the eman-

cipation of their countrymen from all the disabilities which an intolerant government had established, and which the existing one seemed anxious to perpetuate.

No more forcible instance of the truth of the above remark can be adduced, than the attack which Mr. O'Connell made on Dr. Milner, the agent of the Catholic Board in London, and who had given great offence to Mr. O'Connell by the views which he took of the important question of the veto. The speech of Mr. O'Connell on this occasion was lost, on account of no reporter being present, its intent; and spirit, however, can be ascertained from the following letter addressed by Dr. Milner, to the editor of the Dublin Chronicle.

Sir,

Per infamiam et bonam famam exhibeamus nos melipsas ut Dei ministros 2 car. vi. This injunction of the apostle which ought ever to be before the eyes of a Catholic pastor, forcibly struck me two days ago, when returning home from a journey, I learnt from your *Chronicle* of August 30th, that a celebrated Orator had in an aggregate meeting of the Catholics of Ireland, deprived me of their good opinion and good-will, by grossly mis-representing my principles, and degrading my understanding. Well, Sir, I shall not alter my principles or my conduct; but shall endeavour to stick to my text. *Per infamiam et bonam famam, &c.*

Still it may be proper to inquire, upon what evidence the learned gentleman has defamed me? This is such, that, as a professional man, he would spurn at it, were the person or character of the vilest human creature submitted in a regular manner to his sentence. He has, in the present instance, pronounced upon *hearsay evidence*, and this at second or third hand, namely, *he heard a prelate say, that he heard another prelate read a letter from me, which, in his opinion, bare such and such a sense.* But how many mistakes might have occurred as to that letter, between the learned gentleman and the prelate, his friend, and between this prelate and the reading prelate? Thus much is certain, that the letter in question, which

was a very long one, was also *a confidential one* and was *stated to be such in the body of it;* nor will I easily believe that any one of my honoured and venerable friends was capable of betraying confidence. In case, however, it should be the general opinion of those prelates, that the letter ought to be published, I will withdraw my injunction of secresy.

In the meantime, notwithstanding the high credit due to the learned orator, and the irresistible force of his eloquence, I think I ought to stand acquitted of the charges he has brought against me, on the solemn and public testimony of the Prelate of Ireland, and of the orator's friends among the rest, who, after having considered upon my letter and the whole of my conduct for fifteen months past, *unanimously voted their grateful thanks to me, for a zealous and able discharge of the trust reposed in me.* This honourable testimony which is the fourth of its kind, that I have received from the immortal prelates of Ireland, is recorded in the same number of your *Chronicle,* which contains the orator's speech.

I shall argue in the same succinct and exclusive manner with respect to the old refuted calumny of my being the original author of the Veto, which the eloquent gentleman is pleased to revive at the present day. Let it then suffice to say, that on the ever memorable day alluded to (Sept. 14, 1808) when the prelates passed their most wise and pious resolution (one that I then adhered to, never have abandoned and have suffered more for defending than any other individual whomsoever) namely, that *it is not expedient to alter the discipline of the Catholic church of Ireland,* they, at the self-same time, resolved that *I had given a satisfactory explanation with respect to my conduct* at that period, and was *entitled to their thanks.*

With still greater injustice does the eloquent orator charge me, in the face of the Catholic world, with having gone over to Ireland on a *Vetoistical mission,* adding that Ireland *rejected the missionary and the mission that I repented, &c.* with other circumstances perfectly fabulous, Sir, I am bold to say, and I challenge contradiction, if fair proof, and not groundless conjectures, are to be admitted in evidence, that *I never had but two*

missions in my life, one from God to preach his gospel, the other was from the Irish prelates to guard the purity and independence of their holy church. No, Sir, I did not go to Ireland in 1808, *sent commissioned, supported* or *encouraged* by any man, and I am convinced that no friend of any kind of veto, previously knew of my intention of going thither; I went for the sole purpose of complying with the pressing invitation of my ever lamented friend, Dr. Waylan, who invited me to be present at the opening of his new chapel, at Cork.

I am, &c.

J. MILNER, D. D.

In this manner did Mr. O'Connell draw down upon himself, from his violent and unguarded mode of expressing himself in his public speeches, the indignant remonstrances even of those, who were co-operating with him in the great work of emancipation, and which gave rise to the imputation which was at this time thrown upon him, that so fixed was his determination to be the lord ascendant of the Catholic population of Ireland, that any one who presumed to raise himself to eminence in adopting or proposing measures for the redress of their grievances, was sure to have the thunder of O'Connell hurled against him, by an attack either on his professional or personal character. Like the giant of old, he brandished his clubs around him, and in the impetuosity of his on sets, he found, too often to his chagrin and mortification, to the displeasure of his friends, and to the injury of the cause which he had in hand, that he had crushed an auxiliary, instead of overthrowing an opponent. It is true, that in the emancipation of the Catholics, Mr. O'Connell saw the panacea for all the evils under which his native country was oppressed, but at the same time it must be admitted that there were some other very powerful causes existing which tended to check the progress of national prosperity, and to prevent the Irish people from obtaining that rank in social life to which by nature, they were so well fitted. That some of these evils did not originate or were in the least de-

gree to be attributed to the disabilities of the Catholics, must have been evident to every one, who had an opportunity of investigating the condition of Ireland, and of observing the people in their moral as well as in their political character. The Irish squireachy was at that time composed of a body of men, who could not be made to believe that the poor and the rich have similar passions, feelings, affections, and appetites, and that they are just as susceptible of insult, injustice, oppression, and inconvenience as their betters. There are perhaps few of the European nations, the character of the natives of which affords in its analysis, such a mixture of inconsistency and contradiction as the Irish, and although Mr. O'Connell might have been well studied in the political character of his countrymen, yet many instances could be adduced, which he did not exhibit a very profound knowledge of their national one—nor of the means by which its integrity and excellence could be advanced. Immediately considered, the removal of the disabilities under which the Irish people were groaning would not in itself have made any alteration in the condition of the "finest pisantry" in the world: for there were political evils existing, which could only be suppressed by a vigorous and enlightened government, which might be disposed to regard Ireland as an integral part of the British Empire, and not to treat it as a conquered country. The Irish peasant, in his rude and natural state stands low in the scale of civilization, for trifling is the difference between an Irish hovel and an American wigwam; in fact, it would be difficult to convey to an Englishman an exact notion of an Irish hovel, but let it be said, that if the genius of desolation was in search of a residence, she would infallibly fix upon an Irish hovel to be uncomfortable in.

The roof is generally pervious to every shower, and the rain in its progress coming in contact with the rafters, which are encrusted with soot (chimnies not being in fashion) descends on the inmates in a black shower of liquid smuts, which contrast in the most picturesque manner with the brown flea bites on the faces and necks of the family. It is a favourite axiom with the squires

of Ireland that the poor labour under very trifling inconveniences, but two or three nights passed under the roof of an Irish hovel, would be quite sufficient to bestow upon any one the most correct experience of all the comforts of which the Irish peasant is said to be in the enjoyment. The chances are in the first place, that the tenant *pro tempore* comes off with a lumbago imparted to him from the damp straw and the extenuated blanket, nor will he derive much satisfaction from the knowledge, which from divers marks on his body will be imparted to him, that the cocks and hens have been roosting over him during the whole of the night. Having, perhaps fallen into some thing like a refreshing repose, it is most likely that he will be suddenly roused by a litter of pigs, who have mistaken him for the sow, and are making the most unmannerly attack on various parts of his body, or should the pigs, peradventure, not find him out, he will perhaps run the most imminent risk of being stifled by the embraces of a calf, which is in the progress of weaning. An excellent opportunity will also be afforded him of refuting the Irish hypothesis, that a pure vegetable diet is the most nutritious for a labouring man; if he feel an inclination for the blessings of a dysentery, he has only to submit himself for a week to potatos and buttermilk, and the chances are greatly in his favour that he will very soon enjoy the blessing to his heart's content. If salt be added to the potatos, as they are eaten by three-fourths of the Irish peasantry, the blessing will fall upon him two-fold.

These are evils of a national kind, and which require other means for their removal than the abolition of religious disabilities. But it may be asked, how is the extreme populousness of the country to be accounted for, while the people feed on such miserable fare. It may be immediately answered, that the mode of living of a people has little or no connexion with the increase of population. The diet of the Chinese and Hindoos is scanty and vegetable, and yet they are amongst the most prolific people in the world. But it may be asked, are the Irish a healthy and long-lived people, and have they the bottom of the English? We answer decidedly in the negative:

they labour under all the long train of diseases that originate in debility. Of the children that are born to the very poor, comparatively few survive; part of the weak swarm soon perish, and they who escape, are prematurely old at a period, when life, if duly supported, should flourish in the vigour and maturity of its strength, This is a true, but it must be allowed, not very flattering representation, as all are able to vouch, who have visited the cabins, and ministered to the wretchedness of the Irish poor.

At the time when Mr. O'Connell took the helm of the distressed and almost sinking vessel of Ireland's prosperity, he had political obstacles to contend with, which, not even his gigantic powers, great as might be the struggle, could overcome. They were deeply rooted in the political constitution of the country; and, single handed, it was in vain for him to contend against an aristocratical oligarchy, which then ruled over the British senate, the chief supporters of which were oppression, venality, and corruption. The social condition of Ireland was also in a diseased state, for it was difficult to force into the skulls of the Irish squires, certain principles, which had long become obsolete in Ireland, admitting at the same time that in the education of the said squires, two requisites, namely, reading and writing, had been sometimes strangely neglected. One of the above mentioned principles consists in the knowledge that the landed proprietor belongs, not to a vain expensive wife, who chooses to reside in England, nor to a set of fox hunters at home, nor to an arrogant and fraudulent agent, nor to a pack of parasites and needy relations, nor to a grasping, parliamentary patron, *but to his tenantry*, whom he is bound to protect, encourage, and cherish, and under no pretext to plunder; or in other words, to exact a rent, which the price of produce does not justify.

Another principle, which was endeavoured to be inculcated upon the Irish squirearchy, was, that encouraging the population of a country like Ireland, where there are few or no manufactures to take off the redundancy, is the sure method of creating distress, turbulence, and dissatisfaction. It might

have been supposed that there was but little connexion between *parliamentary influence* and the propagation of children; Mr. Pitt never married; Lord Castlereagh had no family, but it is an incontrovertible fact, that the making of freeholders for electioneering purposes contributed at this time considerably to augment the population of Ireland; and it was an engine that was too powerful in its operation for Mr. O'Connell to stop. I want votes, says the landholder, and immediately a large farm was split into a number of forty shilling fragments, on each of which a mud tenement was erected, without windows or chimney, and Pat and Norah were sent in to breed, and armed with the additional privilege of contributing to the purity of election, by a downright subserviency to the will of the landlord, who collected his votes as he did his sheep in pens, and converted their bleatings to his own private purposes. If this only terminated in sending a booby, a parasite, or a demagogue into Parliament, *it was clear as the sun at noonday*, that little mischief would accrue, as it is very evident that there was a *vix mediatrix* in that august body, sufficient to counteract the blotches and pimples which disfigure its surface, but, unfortunately, this diffusion of the *elective franchise*, engendered an indefinite swarm of children, many of them were, to be sure, cut off by the extreme hardships they endured in the rearing, but still enough remained to swell the list of unemployed misery, the raw material of the Carders, Threshers, Defenders, &c. &c. who for years disturbed the internal tranquillity of Ireland.

The system of tythes was one which particularly attracted the attention of Mr. O'Connell, but the squire of Ireland could not be taught, or he would not learn, that the impolitic measure of abrogating the tythe of a gistment threw the whole weight of the clergyman's dues upon the shoulders of those least able to bear it. A man might have ten thousand head of black cattle upon an equal number of acres, and provided he never put a plough in the ground, he need not pay one shilling to the parson, while the miserable labourer, who sowed a hand-

ful of oats in his garden, wherewith to regale his family or stir-a-bout occasionally during the winter months, must pay tythes to the parson. Could this be called just dealing?—Certainly not; in fact, no situation could be more invidious than that in which many clergymen were placed by this iniquitous arrangement, and the whole system of their demands became completely inverted. Very often, the *very* great man in the parish, paid the least proportional tythe; in truth, he might pay what he pleased, for the parson, if he made an enemy of him, by exacting his full right, might lose the support of that authority, which enabled him to force in his income. The rich squire, for the same reason was to be gently treated. All this fell heavily on the poorer orders, of course, who would be considered, no doubt by *christian clergymen*, as graziers forced to contribute their fair share towards the support of the Protestant establishment.

It is an indubitable fact, that the misfortunes of Ireland, proceed from the ———— of the higher classes, and it is to be hoped, that these observations may meet the eye of certain Irish noblemen and gentlemen; let them lay their hands upon their hearts, while they read them, and then their consciences will suggest to them, with what term to fill up the blank, which we have purposely left for them to supply. "If their withers are unwrung," tis well; but if remorse should happen to give them a twinge, let us advise them to attend to this faithful, but somewhat unwelcome monitor, and hasten to make atonement, by doing justice to the people, over whom providence has given them the superintendence. They will let their lands at fair rents, and endeavour to instruct, to cherish and to protect the tenantry, and not turn their passions, for the sake of swelling their parliamentary importance, into the means of inundating the land with a swarm of beggars, whom want of occupation makes poor, and want of bread, turbulent, dangerous, and disaffected.

We have purposely given this hasty sketch of the condition of the Irish people, to shew the discordant and heterogeneous

materials with which Mr. O'Connell had to work in the accomplishment of that stupendous plan, whereby his country was to undergo a positive regeneration, and by which she was to emerge from that obscurity in which a false system of government had enveloped her. Circumstances, however, of a very important nature, as far as they concerned the Catholics, now arose to claim the attention of Mr. O'Connell, and it may be truly said, that they appeared to engross all the energies of his mind, and to absorb every moment of that valuable time which, otherwise, would have been devoted to his professional pursuits.

The emancipation of his countrymen from their religious disabilities was the fulcrum in which the lever was to be placed which was to hurl the fabric to the ground, which oppression and intolerance had erected to keep in slavery six millions of British subjects, who by their birthright, were entitled to equal laws and equal rights. In the breast of Mr. O'Connell glowed the flame of the love of liberty and of mankind, his principles as a Christian impelled him to do to others, as he would wish others to do to him: his sense of justice taught him that if he adhered to that principle, he had a right to expect the practice of it from others. It could not be looked upon as a misfortune, that he and the majority of his countrymen differred from others in religion, what then upon the principles of the Christian religion, would be the conduct which he would expect those dissentients to adopt towards him? Not surely to speak ill of him, to nourish hatred and illwill, to mis-represent both his principles and his conduct? Not surely to cry him down as a dangerous member of society, and finally to persecute him and to fix a lasting stigma upon him by the imposition of pains and penalties for worshipping God according to the dictates of his conscience? We speak to Christians of all denominations, and we ask them in the sacred name of God, if this be doing as they would be done by? In justification of this iniquity, it might be set up that the object which Mr. O'Connell had in view was not so much a

religious as a political question. Let it be so; why then it might be asked, why not act consistently and treat it as such? Throw aside all pains and penalties. Give to all equal political rights. Let there be no distinctions on the score of religion. If any party should attempt to disturb the peace of society on any ground whatsoever appertaining to religion, let the offending persons, no matter what plea of conscience or religion be set up, be punished as evil doers. When the overt act is committed, let it be visited by the penalties of the law. This all men will allow to be an act of justice; all would cheerfully submit to it, because all would be on an equality.

If emancipation were purely a political question, this would be to treat it practically as such, and then no sect, by whatever name distinguished, could domineer over another in either civil or religious matters. Many there were at this time, who were particularly interested *in things as they are*, and therefore they could not be supposed to view with perfect impartiality, any thing which had a tendency to effect a change in the existing constitution *of things*. Such people might be influenced by impure motives, although unconsciously to themselves. Selfishness and prejudice often conjure up fears, where there is no good ground for fear, until the mind gets bewildered and alarmed without knowing distinctly why it was so. Mr. O'Connell saw the weight of the injustice which pressed so heavily upon his countrymen on account of their religious creed, he saw them loaded with all the errors and crimes of former times, and that they were held up as persons who were not entitled to the benefits of the constitution. Let us however, reverse the picture, and ask if all the errors and crimes of former Protestant times were collected together and charged upon us, how should we look? or how should we like it? The Catholic is in every sense a good subject, for he abjures every thing that may or can interfere with the peace and safety of society. He expresses himself ready to take every oath that any other subject is required to take, which does not interfere with his religion; he expresses

his willingness to be subject to the laws and to obey the government. Why was there any hesitation shown to accept of this offer? if he offended against the laws and the oaths which he had taken, and should attempt to set up any religious plea in justification of his conduct, let it be disregarded and himself be punished as a delinquent. But in the name of justice do not prejudice him. Give him liberty before you condemn him for abusing it, and by his own conduct let him be fairly judged, and not for imaginary violations of his privileges. Human nature is the same in us all. The Catholics are men like ourselves, and we, as men are creatures of circumstances. Will not education enlighten them? will not kindness and fair-dealing soften their asperity and conciliate their esteem? Are any human beings insensible to the law of kindness and love? With respect to the Catholics, coercion and severity have long been tried in vain; let the voice of reason and religion be now heard; forget the deeds of former times, for all parties, when in power, have erred in judgement, and been prone to persecute. The world is now more enlightened. Let us no longer imagine that we are doing God service, "by beating another man's servants," Let all men enjoy what is their inalienable birthright, *religious liberty* in its fullest extent. Who have a right to step between a man's conscience and his God, and if any assume that they have it, where did they get it? Who gave it to them? It is daring impiety to God and the extreme of injustice to men to pretend to possess it. Who shall dictate to the deity in what strains and in what manner he shall receive the adoration and homage of his penitent creatures? Let all men, as they have an undoubted right to do, "judge for themselves," and be fully persuaded in their own minds, as they will have to answer for themselves, for their faith and conduct at the judgement seat of Christ.

Such were the sentiments which came from the shores of England, from the waters of America, from the mountains of India, and from the plains of Europe to stimulate O'Connell in his arduous struggle. They were spoken in a voice which penetrated to the heart of every man, not under the influence of a bar-

barous prejudice, the voice was responded in the breast of every Irishman, and he saw the day star of liberty rising upon his benighted country.

There is no character more odious than that of a persecutor and every man is so, to the full extent in which he causes another to suffer for conscientious belief, To such our advice is

"*Fiat justitia, ruat cælum.*"

Rather let them likewise as men and Christians be employed in removing all causes of disunion, all penal laws, all civil disabilities. This would not only wipe away all reproach from us as a people, but it would double our strength, and by uniting us, make us as a nation truly invincible.

At the suggestion of Mr. O'Connell a meeting was held at D'arcy's when it was determined to address the Prince Regent on the relief of the Catholics from their disabilities, and on which occasion Mr. O'Connell read a letter from Sir Henry Parnell, with whom the committee of the Catholic Association had corresponded, respecting his opinion on the expediency of addressing the Prince Regent on the subject. The letter of Sir Henry Parnell was such as might have been expected from his liberal and enlightened mind. He was the sincere and unaffected friend of religious liberty, anxious upon principle, and with no other motive than that of doing good and serving his native country—for the full and unqualified emancipation of the Catholics of Ireland. No man understood this question better, even amongst the Catholics themselves; no other Protestant understood it so well in all its bearings, in the perpetual and irksome oppressions which the penal code inflicted, and in the only adequate modes of administering relief. There could be no doubt that the Catholics cheerfully followed the advice of Sir Henry Parnell, and they must have been blind to their own interests and insensible of the value of such a friend, if the tone, temper, manner, and language of their petitions did not accord with his opinions.

The draft of the address to the Regent was undertaken by Mr. O'Connell. It will contain, he said. a respectful but manly

appeal to the good sense and justice of the executive government. There will be nothing in it, sycophantic mean or cringing. It would deserve to be rejected, if there were, but it will contain an abstract of the facts which demonstrate the treachery of the original enactment of the penal laws, the impolicy and above all, the injustice of their continuance, and that, in terms of the profound respect which is due to his royal highness, who is now, in fact, the first magistrate of the state, and the rightful governor of these realms. The address will again afford us an opportunity of asserting the grand principle of freedom of conscience, that principle, which being recognised by government, and carried into practical execution, would give freedom and the constitution to the Catholics of Ireland, only because it would afford protection, security and equal rights to the persecuted Protestants, on the continent of Europe.

Mr. O'Connell having delivered these sentiments, recommended that a subscription should be immediately entered into to defray the expenses attending the getting up and presentation of the address, when in a very short time a sufficient sum was raised, at this juncture however, a mischievous spirit arose, which for a time threw confusion into the enemys camp, and this was nothing less than a letter, purporting to be written by the pope in answer to the address and remonstrance formerly mentioned, which for the keenness of its irony, has scarcely its parellel in the English language.

The Protestants declared it to be genuine, the Catholics at first knew not what to make of it, but at all events, it excited a commotion, which set both parties in activity, and which ultimately led to the fiercest quarrels and dissensions.

The following is the celebrated letter.

Beloved Children,

I cannot describe the pleasure I felt, when on reading your "humble address and remonstrance," I found that five millions of the people of Ireland were emploring "the Apostolical Benediction," but soon, alas! the deepest sorrow suc-

ceeded this joy, when I learned that these my "dutiful children," were suffering *the most sanguinary and unrelenting persecution that ever aggrieved a Christian people.*" O my children! how have I been deceived by the agents of the British government! they told me your liberty, property, and the undisturbed possession of your religion; nay, that you were allowed in your writings, to defend your own religion and attack that of the state: they told me that a college had been built for the education of your clergy; that you were serving as officers in their fleets and armies; pleading, as barristers in their courts; acting as magistrates through the country, and returning members to the Imperial Parliament. They assured me that you were experiencing much kindness from your Protestant fellow countrymen, who contributed to your charitable institutions, and helped you to build your chapels. Deluded by these false statements, I was rejoiced at your fancied prosperity, while you, alas! were enduring a "most sanguinary and unrelenting persecution."

I had heard, indeed, that several of my children in Ireland had been put to death; but, O the deception! I was told, it was for treason and rebellion, and yet they were suffering for the apostolic faith. Spirit of the sainted Murphy of Boularogue! how have you been traduced to me! O, my sons, that fell in what I was told, was a rebellion, were you then, indeed, but martyrs to your religion?

How can I dwell upon the dreadful scene which your emphatic words so vividly depict before me. I have read of the persecutions which desolated the primitive church, and have heard of other persecutions too, in which, in one country alone, a million of persons are said to have been put to death; but, O, what is this number, great as it appears, when compared with the multitude of my children, that must have perished in Ireland during this "most sanguinary persecution that ever aggrieved a Christian people!"

What tortures must ye have suffered, my beloved children! In the account of former persecutions, I have read of decapitation, crucifixion, gallowses, gibbets, manacles, pedicles, thumbscrews, fire and fagot, rocks and pullies, slow fires, red hot

gridirons, and boiling lead; but what are any or all of these compared with the means of torment to which you must have been exposed? say, are my fears unfounded? or have the most powerful agents in nature been, indeed, resorted to for your destruction?—Have steam-engines been erected, at one blow to flatten you like pancakes, or to chop you as small as herbs for the pot? or have vast galvanic batteries been raised to sweep away thousands at once in this "*most sanguinary and unrelenting persecution that ever aggrieved a Christian people.*"

O, how vain are the hopes of men! and how soon are our fairest prospects clouded. I heard with delight, some years ago, that a cross was erected in the front of one of the established churches in Dublin: I rejoiced at this, as one step towards the restoration of the ancient faith; surely, said I, when the cross has got to the outside of the church, we may soon expect to see it within: but oh! I fear it was intended as an instrument of torture! say, O say, how many of my children have been crucified on it.

Tell me, I pray, who are the inquisitors, who are the torturers that are charged with your destruction? Are they the clergy of the established church, or the apostates from our faith, who have been so well paid for their defection? Are they the schismatical Cossacks, the Methodists, or those vile peculators and heritics, the Bible Men?

Painful as the detail may be, do, my children, send me a full account of all your sufferings, that it may be handed down to futurity as an imperishable monument of your faithful adherence to the apostolic see. O, that the spirit of those, who wrote the legends and lives of the saints may descend upon you, to enable you to describe the *unheard* of horrors of this "most sanguinary and unrelenting persecution."

But how, my children, amid the rage of such a persecution, could five millions of you agree to the letter which you sent me? Surely, you could not meet to discuss the matter, or let it be known that such a measure was in contemplation: a few of the boldest of you, I suppose, assembled, at the risk of your

lives, and wrote the address, which you knew contained the sentiments of your suffering brethren.

The address was presented to me by a secretary to a deputation, but no deputation appeared. Your address soon accounted for this extraordinary circumstance; it suggested the idea that your persecutors had seized the deputation, and that the secretary alone had escaped. The same agents of government, who, as I was just informed had arrested your two great champions, when going, in single combat to maintain your liberties and religion, had also, I concluded, seized the brave men who, at the hazard of their lives and fortunes, were going on a mission to the holy see. Heroic souls! should your lives be the forfeit of their Catholicity, may the green turf of Erin lie lightly on your heads, and posterity imitate your virtues.

Alas my children! your address furnishes internal evidence of the wretched situation to which your persecutors have reduced you. You are not yourselves; your sober mind, your sound judgement, your recollection itself is gone: you forget in one paragraph what you have said in the preceding one: at one time you consider the subject of your remonstrance to be of a religious, at another time of a political nature;—at one time you think I should interfere in it, at another you think I should not: but this is not the worst symptom of your melancholy state, my "dutiful children." You even menace the holy see; you threaten, that if I do not act as you require, the first consequence would be a general indignant revolt against the framers or favourers of the detested system, without regard to rank or station; and it is not difficult to imagine that so lamentable a breach would lead to such a state of distress and dissatisfaction, as might end in the dissolution of that confidential connexion in spiritual concerns which at present so happily subsists between the Holy See and the Roman Catholics of Ireland. O, my children, I see here that the demon of persecution has turned your brains; I see the madness to which your enemies have goaded you. You are ready to raise a rebellion against your most Holy Father, and, like the heretics of the

Reformation, to revolt from the successors of St. Peter, for your attachment to whom you have already endured nearly three centuries of persecution.

O my children! my heart bleeds for you; I feel the dreadful state to which persecution has reduced you; and must, even against your own wishes, rescue you from it. Your government says, the veto is the only obstacle to your emancipation, I must coincide with it; my paternal feelings for you, compel me to grant it; for, what is there which your father would not do to rescue "five millions" of his "dutiful children" in Ireland, from *the most sanguinary and unrelenting persecution that ever aggrieved a Christian people.*

From our palace at Rome. PIUS VII.

So keen and transchant was the irony of this extraordinary document, that the Catholics of Ireland, with Mr. O'Connell at their *head*, saw an insult heaped upon them, for which scarcely any subsequent atonement could be made. It was evident that the Rev. Mr. Hayes, the delegate to the see of Rome, had given great and unpardonable offence to his Holiness, and thence the Catholics concluded, that he was adverse to their proceedings, or that he did not deport himself with that attention to their interest, by which the conduct of the head of the church ought to be distinguished.

Under these circumstances, Mr. O'Connell called a meeting of the Catholic board, which was held at D'Arcy's tavern, to take into consideration the conduct of the Pope towards their delegate, and to draw up a remonstrance to his Holiness, as proceeding from the whole body of the Irish Catholics, touching the disrepectful manner in which their application had been treated. As it might be supposed, Mr. O' Connell took the lead at this meeting, which was at first only of a preliminary nature, being chiefly occupied in hearing the defence of Mr. Hayes, who declared that he was truly sorry, he had on any account, incurred the displeasure of the sovereign pontiff, and that he would by the next post write a letter to Rome, ex-

pressive of his submission to the decree of the Holy Father and imploring forgiveness.

Mr. O'Connell immediately, in allusion to the declaration then made by the Rev. Mr. Hayes, said with much emphasis, that it made him regret that the Catholic board had selected a priest as their delegate. This, as might have been easily supposed, was considered, as not a very courteous insinuation on the part of Mr. O'Connell, but he declared he was authorized in making the remark, which he had done, on account of the singularity of the proceedings, which engrossed the attention of the whole Catholic population of Ireland, who considered that they were lying under the displeasure of the Holy Father, on account of an insult, which had been offered him by their own delegate.

"There were also," said Mr. O'Connell, "some circumstances attached to the transmission of the remonstrance and the receipt of the reply from his Holiness, which required immediate explanation. Mr. Hay, the secretary to the Board had declared, that the answer of his Holiness had certainly been opened, and again resealed in his presence, an act which Mr. O'Connell deprecated, as disrespectful to the committee of the Catholic board, and placing in the hands of their enemies an instrument to question the validity of the document; he was therefore anxious as this was the first document that had been received by the Catholic body from Rome, that its authenticity should be fully ascertained, and he should therefore move that a sub-committee be appointed to inquire into the authenticity of the document produced by Mr. Hay, and to supply the board with an accurate translation of it.

This motion was seconded by Mr. Mc'Donnell, who inquired, why the document had not been brought forward in a straight forward manner, for it was a fact well known, that a second copy of the answer of the Pope had been received, and had been exhibited to certain individuals.

Mr. O'Connell said he doubted the authenticity of the document, and censured in very strong terms the character and integrity of the lay court at Rome. He called upon Mr. Clinch

to give some explanation of the business, as he believed it was in his power to throw considerable light on this most extraordinary affair.

Mr. Clinch stated, that he had on the preceding day been sent for by Dr. Troy, who informed him that he had a second copy of the answer from the Pope: *the office copy*, that had been transmitted by Cardinal Litta, who requested that it should be compared with that read by the Board, in order to ascertain that it was *correctly* read. That he, Mr. Clinch, attended with the office copy, at the request of Dr. Troy, for that purpose, as that minister had also heard that the authenticity of the document would be objected to by Mr O'Connell and other individuals at the Board. Cardinal Litta also requested an answer as to its reception to be forwarded to him; a request was made to have this document published in *some* of the newspapers, but Cardinal Litta, expressed a desire to have as little introduced into the papers, relative to the Rev. Mr. Hayes, as possible. "I have in my possession," said Mr. Clinch, "that office copy, I have compared it with what has just been read, and I can state that *no deception* has been practised, he begged leave to add, that he mentioned to Dr. Troy, that not having of late attended the Board, he should not remain after having ascertained that the two copies were exact duplicates of each other

Mr. O'Connell now observed, in that sarcastic manner, for which he was so peculiarly distinguished, that the *management* would soon be developed.

Mr. Clinch in answer to this insinuation declared, that he would discharge his duty, and if any gentleman had observations to make of a piece with those just hinted at, all he could say was, that he would not be present to listen to them, and immediately retired.

Mr. O'Connell then withdrew that part of his motion relative to the authenticity of the document, and a committee was appointed to prepare a translation of the answers received from his holiness the Pope

The committee having been appointed, of which Mr. O'Connell was a member, he then moved that the sub-committee just appointed should also be empowered to require from Dr. Troy, a copy of the letter to Cardinal Litta, part of the contents of which, Mr. Clinch had communicated, he trusted that Dr. Troy would communicate this letter, as the communication cast a stigma upon the gentlemen of the board, by appearing to suppose that they would be so base as to suppress or altar any of the meaning or language of the document. The board were never known to suppress any part of their proceedings; they were always open and candid, ready to meet the attacks of their enemies, or the reproaches of those, who falsely termed themselves their friends with respect to the passage in the document, relative to the Rev. Mr. Hayes, he disclaimed any wish to avoid the most ample discussion upon it, if necessary, but the most material feature of the document was, that which implied a concession to the crown of dominion over the Catholic religion, this was the subject he should particularly dwell upon when the document was translated, and its general merits discussed.

Mr. O'Gorman considered this motion as not couched in terms sufficiently respectful to Dr. Troy, and therefore moved as an amendment that the sub-committe be directed respectfully to request the inspection of the letter received by his grace the Archbishop, from Cardinal Litta, or at least such part of it as relates to the communication made by Mr. Clinch. On the amendment being agreed to, Mr. O'Connell gave notice that he should at the next meeting bring forward a motion relative to the mode proper and advisable to be pursued by the Catholics at the approaching general election for representatives in Parliament, and he should also move a vote of thanks to Sir Francis Burdett, for his just representation of the Irish Catholics, as expressed by the worthy and patriotic baronet, at a dinner recently given in London.

The meeting was then adjourned to the following Wednesday.

On that day the adjourned meeting took place, at which Mr. O'Connell read a letter signed, J. Bernard Clinch, in which that gentleman denied having attended at the meeting on the preceding Monday with "the office copy" of the duplicate answer of the pope, and other matters stated in the report of their proceedings. Mr. O'Connell contended that the report which appeared, expressed his opinions of what fell from Mr. Clinch, but in order to obviate any doubt upon the subject of the communication he should move the following resolution.

"Resolved, that the sub-committee be authorised respectfully to solicit from his grace Dr. Troy, the precise communication which he directed Mr. Clinch to make to the Catholic board.

This resolution being agreed to, Mr. O'Connell then stated the necessity of the Catholic freeholders exercising rigidly their right of votes at the approaching election with a just attention to those candidates who had exercised their talent and influence in favour of civil and religious liberty, and concluded by moving a resolution to which Mr. Hughes proposed an addition, and after some discussion both propositions were agreed to in the following form.

"Resolved, that we most earnestly recommend to the Catholics of Ireland, as a sacred and solemn duty, which they owe to their country and their God, to use their most strenuous exertions to secure the returns of such persons only at the approaching election, as have proved themselves the true friends of civil and religious liberty, and particularly that we recommend to them the support of those members of Parliament, who have assisted in promoting the measures of unqualified emancipation.

Mr. O'Connell then pronounced a very eloquent and animated eulogy upon the patriotism and talents of Sir Francis Burdett, particularly in reference to the very liberal observations made by the worthy baronet, at a recent dinner in London, upon the character of the Irish Catholics. He concluded by

moving the following resolution, which was carried with very general acclamation.

" Resolved, that we have seen with pride and pleasure, the testimony borne by Sir Francis Burdett, bart. on a late occasion to the purity of the political principles of the Catholics of Ireland; we cherish that testimony, coming as it does from so distinguished a patriot, and we offer him our most fervent thanks.

Mr. O'Connell also moved the following resolution, which was unanimously agreed to.

" Resolved, that the foregoing resolution be transmitted to Sir Francis Burdett with an appropriate letter.

The meeting then adjourned till the following Saturday, when it again assembled, and Mr. O'Connell was again called to the chair.

Mr. Hay, the Secretary then read the proceedings of the previous meeting, which directed them to apply to Dr. Troy for a copy or extracts from the letter sent by Cardinal Litta, enclosing a duplicate copy of the answer of the Pope, in consequence of which, Dr. Troy had furnished the following communication to Mr. Hay.

Dear Sir,

Having dined abroad yesterday, I was not honoured with your letter of that date until after nine o'clock at night.

I promised to give not only extracts from Cardinal Litta's official letter signed by his Eminence, as Prefect of Propaganda and by the prelate secretary of the same, but the whole of it, which is very short, not exceeding twelve lines, in very legible characters, and merely verifies the transmission of the Pope's letters to the Catholic laity of Ireland. It probably may have been written also to enable me to correct any misrepresentation or misconstruction of the document, which might appear in the public prints here. The letter has been read by several clergymen, particularly by Drs. Murray, and Hamill, who can certify its entire contents. I thought to have sent it to you on Tuesday last, but not finding it after much

search and inquiry, I must conclude it is lost or mislaid by some unaccountable accident or mistake. I regret the circumstance more than I can adequately express, as it may excite suspicions of my withholding it designedly.

I know by experience that similar accidental occurences have been ascribed to similar motives, which in the present instance I most solemnly disclaim,

And have the honour to remain

Dear Sir,

Your most humble and obedient Servant,

J. T. TROY.

To Edward Hay Esq.

Mr. O'Connell now stated, that as chairman of the sub-committee, the duty of reporting their proceedings devolved upon him. As to the letter of Cardinal Litta being lost, every reliance should be placed on the statement of Dr. Troy upon that subject, at the same time, the disappearance of a public document of this nature, was rather strange and unaccountable, unless that some person about Dr. Troy had purposely destroyed it.

In order to put our readers in full possession of all the facts bearing upon these very important proceedings, which not only form an interesting portion of the history of Ireland, but also display the subject of these memoirs in that prominent light, in which he has exhibited himself on all occasions, in which the exercise of his gigantic talents could be called into action, we shall here insert a detailed and authentic copy of the remonstrance transmitted to the Pope by the Board, but even this we should perhaps have hesitated to do, inasmuch as official documents are dull and tiresome to the general reader, but when it is stated that the document itself is the composition of a particular individual, and that individual the subject of our present exhibition and inquiry, we should then consider ourselves as committing a dereliction of our duty, were we to omit it.

REMONSTRANCE.

To his Holiness Pope Pius VII

The humble address and remonstrance of the General Board of Roman Catholics of Ireland.

Most Holy Father,

"The general board of the Roman Catholics of Ireland with sentiments of veneration, which are due to the supreme head, upon earth, of the Roman Catholic church.

They desire to assure your holiness, that no change of circumstances shall ever induce them to interrupt that spiritual connexion with the holy see, which they esteem to be essential to the Catholic communion and which their ancestors protected and preserved in defiance of most cruel persecutions and the most seductive temptations.

It is therefore, with deep regret that they find themselves called upon to submit to the paternal consideration of their holy father, any expression of disappointment or dissatisfaction; but their zeal for the preservation of their religion compels them to unfold to his Holiness the subjects of their anxiety and the sources of their affliction.

They could not with safe conscience admit that they discover in the recent conduct of the advisers of the See of Rome, any proof of an existing reciprocity of attachment. It would seem to have been forgotten, that the conduct and perseverance of the Roman Catholics of Ireland had entitled them to any share of regard, or even of favourable consideration—the martyrs of three centuries appear to be already forgotten, and the zealous perseverance of the present generation is not esteemed worthy of being taken into account.

We put forth no claims to gratitude. What the Catholics of Ireland did in support of their religion, they did it not from human respect, but for God's glory and their own sanctification; and with cheerful hearts do they avow the gratitude which they owe to Providence for their preservation, notwithstanding the continual dangers of persecution and neglect.

The Catholics of Ireland have observed with painful emo-

tions the marked disinclination evinced at Rome to entertain their most humble solicitations for attention. Nearly two years have elapsed since they forwarded to the Holy See an address and remonstrance by the hands of their delegate, the Rev. Richard Hayes to this respectful communication to the sentiment of which they unalterably adhere, no answer has been obtained nor has any inclination been manifested to cherish those Catholic principles which induced that address; this sense of indifference is much aggravated, when the Catholics of Ireland observe an active anxiety evinced to forward the wishes and accomplish the purposes of that power; which persecuted our ancestors and still oppress their posterity on account of their adherence to the Catholic faith. The consummation of our disappointment is accomplished by the banishment of the faithful delegate of nearly six millions of the most constant and attached members of the Catholic church.

We sincerely lament the necessity which obliges us to address this remonstrance to your Holiness, whose character we venerate with unequalled attachment; we cannot for a moment entertain the belief, that the conduct against which we complain, could have been approved of by the head of the Catholic church or sanctioned by him.

We cannoot suppose that your Holiness would willingly discountenance the prayer of the Irish Catholics to preserve their faith and discipline from the intrigues and hostilities of the avowed enemies of their church. Neither can we entertain the opinion that your Holiness would direct, or willingly admit that the delegate of so large a body of Catholics, whose conduct was most earnestly approved of by his constituents and who possesses, as he well merits, their confidence, esteem, and gratitude, should have been consigned to an ignominious exile, without the institution of any judicial proceeding, or without any representation of misconduct being attempted.

This board can feel no difficulty in ascertaining that this offensive indignity did not arise from any misconduct on the part of the Irish delegate, on the contrary, they attribute it to the too successful intrigues and influence of the enemies to the

Catholic religion in Ireland, who considered the expulsion of the Rev. Mr. Hayes from Rome a necessary preliminary step towards the accomplishment of their hostile purposes.

For we have learned with regret, that a lay interference has taken place at Rome in the affairs of the Catholics of Ireland, We solemnly protest against the interference of the statesman to whom, in particular we allude, and we distinctly renounce any submission to him or his measures. We will not yield to a minister, what we would not concede to his master—the right of interference in our temporal affairs. Our intercourse with Rome is exclusively confined to spiritual concerns, and we never can agree to have that intercourse regulated by the interests of the court, or to have it directed by the political minister.

We cannot avoid declaring to your Holiness that our apprehensions of undue and temporal interference are much increased by learning that your holiness is soon to be addresed in person by one of the most active opponents to the independence and purity of the Irish church, Sir John Cox Hippesley, We earnestly conjure your holiness to give no credit to his representations of any portion of the Irish people. He has exhausted all the resources of his ingenuity to find precedents of degradation and despotism in ecclesiastical matters, in order to apply them to the prejudice of the Catholic claims in Ireland.

We implore you Most Holy Father to protect, by a timely interposition, the Catholics of Ireland against the dangers which impend over them. We entreat your Holiness to allay all national alarms, by establishing such a concordat with the bishops of our church in Ireland as will render the election of their successors perfectly domestic and purely Catholic, and will at the same time insure the institution to the person so to be elected. We urge this measure the more earnestly, because we know it to be approved of by every class and rank of Catholics, ecclesiastical and laical in Ireland. Such a measure would satisfy the doubts of every protestant mind not bent on the annihilation of the Catholic faith and would, at

the same time remove all the sources of disunion which generate hostility in the Catholic body.

Most holy Father, we further pray your holiness to cause to be revoked the order of banishment which has been issued out against our delegate. With a view to allay the feelings of dismay which now universally and most powerfully agitate the minds, and affright the consciences of your long persecuted and ever faithful Catholic children in Ireland.

Signed by order
Edward Hay,
Secretary of the Catholics of Ireland.

Board Room, Dublin,
July 19, 1817.

To which the Pope transmitted the following answer, it was the authenticity of this document that Mr. O'Connell doubted, and which called forth from him so many severe remarks concerning the conduct of some of the members of the Catholic board.

"To our beloved children of the general board of the Catholics, Dublin.

PIUS P. P. VII.

"Beloved children,

"Health and apostolical benediction!—In your letter dated the 19th day of last July, which our venerable brother Lawrence Cardinal Litta, of the Holy Roman Church Bishop of Sabinum, and Prefect of the Congregation for the propagation of the faith, delivered to us, you complain that we had given no answer to the letter in which you had two years before, recorded your remonstrance concerning the subject of the election of bishops. But you should by no means have inferred from this our silence, that we have less at heart the interest of the Catholic religion in that kingdom, or that our disposition is less favourable or less prompt towards the people of Ireland, whose constancy in the faith, unshaken by any adversity, and whose distinguished merits in the cause of religion, we ac-

knowledge and admire. For the unwearied solicitude which, it appears from public records, we had devoted to the interests of all churches, even in the midst of peril and of difficulties and which we now devote with increased energy, and even your own approved faith and religion should have furnished you with abundant proof, that there existed another cause why it appeared inexpedient to answer your letter. In truth, we then had a double reason for adopting this cause, for, in the first place, whereas, at the same time, there was brought to us, along with yours, a letter also from the Irish bishops, relating to the same subject, and as we stated to those bishops, as well as by personal communication to their delegates as well as by our letter, dated the 1st of February, 1816, our opinion concerning the proposed difficulties, and the subject of your alarm, we thought it by no means necessary to repeat the same to you, which you could have so easily learned and ascertained from them; secondly, the tenor of the letter which you addressed to us on that occasion, contributed in no small degree, to induce us to act towards you in that manner. For though many assurances of your devotion to the Catholic faith were mingled with your expostulations, yet contrary to our expectations, we observed, that you frequently gave expression to such language and sentiments as seemed by no means in unison with that devotion and zeal which the people of Ireland have at all times manifested towards the Apostolic See, from which they justly glory, that they have derived the the light of faith. Therefore, as on the one hand, your many and illustrious merits induced us to act kindly towards you and on the other, we could neither approve nor altogether suppress our opinion of those matters, which contrary (as we are persuaded) to your intention had crept into your letter, we thought it better to send you no answer, especially when, as we have already stated our opinion, and judgment as to the proposed difficulties, could have been fully made known to you by other means. You have then, the causes of our silence, which we do not now hesitate to disclose to you, that we may deliver you from all anxiety, and that henceforth you may

never imagine, that it could be our will to reject your prayers.

"With respect to the transactions discussed in that your letter, you should ever feel persuaded that all our efforts and solicitude, (we, to whom the deposit and protection of the faith, and the rule of the whole church have been committed by Divine authority,) are directed to no other object than to secure by all means the integrity and advancement of the Catholic religion. Therefore when we signified that we would permit those things, if the British government would pass an act of emancipation, which should entirely favour the Catholics, we were induced to it by no temporal considerations or political counsels (of which it be criminial even to suspect us) but we had solely in view the interests and well being of the Catholic religion. We proposed to ourselves, that in consideration of the faculties to be conceded by us, the desired emancipation would be granted to the Catholics by the repeal of the penal statutes, and thus that wretched condition, in which those Catholic churches have been placed for nearly three hundred years, would be terminated; peace and liberty would be restored to the Catholics; they would be rescued from the temptation to apostatize from the orthodox faith, to which human frailty is exposed; and finally, that the fear of the laws now in force against Catholics, which might, perhaps deter separatists from entering the bosom of our holy mother church, would be removed. In our aforesaid letter to the bishops of Ireland, we have proved fully and clearly, that our proposition, was altogether harmless, and guarded by such limitations and conditions, that, if they should be observed, no room could remain for abuse.

"But it is fit that you should particularly remark that we promised the before mentioned things only, as we have said in the event that, and after the aforesaid act of government should pass; nor did we by any means command, that even on those terms, the matter should be concluded, but we only declared that after emancipation should have been completed, we, on our part would feel no reluctance to concede them, that by

such our declaration we might in some degree, facilitate the attainment of the aforesaid emancipation.

"As to the suspicion and alarm which we learn from the conclusion of your letter, you entertain concerning the ecclesiastical affairs of your country we order you to be at ease, for you ought to consider, we have well viewed and weighed the manner in which we should conduct ourselves in regard to those matters, whenever an opportunity should present itself, and that we shall never deem any thing of higher importance than the interests of the Catholic religion.

"Now to proceed to what relates to Richard Hayes, of the order of the friars minor of St. Francis; you have complained that we expelled him from our territory: though as you write, he had given us no cause of complaint. You even seem to think, that we were driven into that measure, perhaps by foreign influence, lest the statements which he had to make in your name, should obtain easy access to our ear. When you wrote this, you were little acquainted, as it seems to us, with that man's mode of conducting himself, for having abused that hospitality which he enjoyed in the city, he furnished us with many and weighty causes of grief and vexation, as well as his deportment altogether unbecoming, a man professing a religious institute, and by incessant aspersions on our government as by writings disseminated in every direction, overflowing with calumny and rancour no less injurious to us and to this Holy See, than to his own government, of which he boasted every where, and publicly, that he was the author, until at length he proceeded to such a degree of arrogance and audacity, that he did not blush to offend ourselves by injurious expressions, so that we could no longer suppress our sentiments, without the abandonment of our personal dignity. Wherefore, though we could have proceeded with severity against him, nevertheless, acting towards him with lenity, the causes of complaint which we had, having been declared by our orders, some without any difficulty, he did not blush to acknowledge, and others, indeed, he could not deny. We caused it to be notorious to him that he should of his own accord, depart from the city, with inti-

mation of ours, when he altogether and obstinately refused to obey, we ordered at length that he should be removed, even by force, beyond the limits of our territory. Wherefore, as we were induced to act towards him in this manner, by motives quite different from those which you imagined, and these of weighty moment, you have no reason to complain, as if by this act we had inflicted an injury on the affairs of the Catholics, which are dear to us, for most essential reasons. In the meantime, that same man of whom we speak, since his return to his own country, has not changed his line of conduct; for in the public journals of the 17th of last December, printed in Dublin, we have seen a report delivered by him to you of his proceedings in this city; like his former writings, it is full of falsehood and calumnies to which report therefore, we most unreservedly declare to you, that no credit should be attached.

" To conclude, assuring you of our paternal charity, we impart to you from our heart, the apostolical benediction.

" Given at Rome, at St. Mary Majors, this 21st day of February 1818, of our Pontificate the xviii.

" PIUS P. P. VII."

The reading of this document did not go fully to remove the doubts from Mr. O'Connell's mind of some unfair proceedings in the business. The tergiversating conduct of Mr. Clinch also contributed to strengthen the suspicions which Mr. O'Connell entertained, for on Dr. Troy being applied to relative to the communications made by Mr. Clinch to the board, that clergyman transmitted the extraordinary answer, that he had not sent any message to the board by Mr. Clinch, nor had desired him to make any communication to it, simply praying that he might be permitted to attend the board, to observe whether the letter of his Holiness would be read correctly, and that he gave the office copy of it to Mr, Clinch, as it was sent to him by Cardinal Litta, in order that he should ascertain the correct reading.

On this statement, Mr. O'Connell felt himself in rather an unpleasant embarrassment, for on the statement of Mr. Clinch, he had openly accused Dr. Troy of some under-handed dealings and he had once more occasion to blame his own credulity, and his reliance on the verity of other men for his disrespectful observations on an individual, who had fully justified himself for every act which he had committed, and so far from incuring censure, was entitled to the fullest approbation. As, however, Mr. O'Connell had publicly expressed his sentiments, so was he disposed also publicly to retract what he had said, and he therefore moved a vote of thanks to Dr. Troy, coupling with it at the same time a motion of censure on Mr. Clinch for the erroneous statement which he had made to the committee.

This affair was likely to have embroiled Mr. O'Connell in a fresh quarrel, as Mr. Clinch felt himself aggrieved by some expressions, which Mr. O'Connell had used as being derogatory to his character as a gentleman, and for which he considered an explanation was necessary. Mr. O'Connell unhesitatingly gave the required explanation, stating, that in whatever he had said, he had no other motive than to sift to the bottom, the extraordinary proceedings which then engrossed the attention of the committee, and which in fact threatened to compromise the character of every one of the members of the Catholic board;—that he as one of the sub-committee of that board was empowered to examine, and to report to the general committee the result of their investigation, and that finally, in whatever remark he had made on the conduct of certain individuals, whose conduct had come under their investigation, he was not actuated by any personal motive, but by an anxious desire faithfully to perform the duty imposed upon him. This proving satisfactory to Mr. Clinch, the affair passed off.

The mind of Mr. O'Connell was, however, not yet at rest on the subject of the mission to Rome. He was himself the promoter of the measures, which had been adopted, and therefore his character was to a certain degree implicated in the result of those measures, which so far from proving satisfactory

had subjected one of the delegates to imprisonment and forcible expulsion from the Roman States. He therefore at a meeting of the Catholic board, moved that the letter of Mr. Hayes to Mr. Hay should be read, on which, perhaps, it would be necessary for him to found a substantial motion. The following letter was accordingly read.

Dear Sir, Rome, Nov. 11th, 1815,

" I arrived here on the 25th of October, after a journey of five weeks the suppression of mail coaches, diligences, &c., in the Italian States obliged me to travel post from Chambery to Rome. The prelates who had started from Dublin a fortnight before me, were in Rome only two days when I arrived.

" I waited upon Cardinal Litta, to whom I was introduced by the Irish superior of St. Isidores, shewed my credentials, the remonstrance, and translation, all of which he approved adding, however, that it contained some bold expressions, as he termed them.

" After several conferences with his Eminence, he announced my arrival and the object of my mission to his Holiness, of whom I had yesterday my first audience, having been introduced by the general of my order, accompanied by the superior of St. Isidores. After I had kissed feet, I presented my credentials from the aggregate ; meeting the Remonstrance, and a translation of it, together with a compendium, all in Italian, and prayed an answer.

" His Holiness entered into a detailed conversation with me on the subject, in which the Guardian and the General joined me in deprecating the Veto. His Holiness said, there was no occasion for the great alarm among his good children in Ireland, that nothing had yet been done in the business; that the letter from Genoa, besides being merely *conditional* was by no means *preceptive* upon the Catholics; that it contained nothing more than a *permission* of submitting to the government (if the usual electors pleased so to do,) the ordinary list of candidates presented to a vacant see, in order that

one or more might, if necessary, be rejected, but so that the list should not be renewed nor so diminished, as that a sufficient number might not remain for his Holiness to choose from. He then expressed surprise and some displeasure that the letter from Genoa had not been published; the bare reading of which, he said, would have considerably allayed the pious alarm and ferment of the people.

"I proceeded to point out to his Holiness the destruction of religion in Ireland, which would unavoidably follow from the interference of the government in our religious concerns &c. &c. and supported by my two companions my words seemed to make a considerable impression. His Holiness then remitted my papers, as he had done with those of the bishops, who had their audience five days before, to the Secretary of State, Cardinal Gonsalvi, with whom, and Cardinal Litta, his Holiness was to consult. I instantly waited on the former; his Eminence told me, he should have many and long conversations with me on the matter, it being of the highest importance.

"I expected that the business would, according to the regular course be referred to Cardinal Litta, who is bound by his office to look to the *religion* of Ireland, and then, the Remonstrance could not fail of success. A regular of the Dominican order, high in the confidence of his Holiness, has expressed to me his utter abomination of the measure of a Veto, and I expect most beneficial results from the aid of his influence.

"The prelates are impatient for an answer, and speak of leaving this in a fortnight. For my part knowing the multiplicity of business which occupies the Holy See, and the consequent tardiness in giving her answers, I am determined to remain to the last, until the matter is settled.

"Cardinal Litta and the under secretaries of Propaganda, give me the same explanation of the letter from Genoa, that his Holiness did. This letter, which I have read, and of which Cardinal Litta promised me a copy, that it might be published, agrees perfectly with this explanation.

" If Cardinal Gonsalvi hesitates, I expect to have the subject brought before a consistory of the Cardinals, in which case, the generals of the religious orders will give considerable assistance.

" Monsignor Quarantotti has been frequently reprimanded by his Holiness and the Cardinal for his rescript. He is an aged and weak man, and is in compassion allowed still to countersign the rescripts of the Propaganda.

" When I told Cardinal Litta the reasons for which the deputation, to which I was appointed secretary, declined coming, his Eminence observed that the remonstrance itself was sufficient introduction; that from the English Catholic board of last year came by post to Mr. M'Pherson.

" Cardinals Litta and Galessi, both tell me that the proposition contained in the letter from Genoa was rejected by the English ministers as not sufficient to satisfy the wish of government. The former told the bishops that an appeal from the *people of a whole nation* must be attended to; so that I expect a favourable answer, though I fear, I must wait a considerable time for it. I shall not, however, lose my time, which is busily employed in removing the prejudice against Ireland, which English calumny has sown deep in the Roman soil.

" I see you have disturbances in Ireland; our enemies begin to play off the same game as in 98—excite disturbances and break the spirits of the people.

The secretary having read the last paragraph, replaced the letter in the bundle of papers from which he had taken it, but Mr. O'Connell was not to be so satisfied. The letter had no customary conclusion to it, and therefore it bore on the face of it, a direct mutilation, and a concealment of something that it was not deemed advisable to make public. This circumstance extracted from Mr. O'Connell the severest animadversions; he gave it as his decided opinion that there was some foul play in some unknown quarter, and he expressed his determination to sift it to the bottom.

On the day, however, when the letter of the Pope was to

be taken into consideration, Mr. Hayes made the following declaration.

Mr. Chairman and Gentlemen,

Before any discussion arises upon the document which has been read before the committee, I beg for a moment the favour of your attention. I have always made it a rule to sacrifice my private feelings and advantage to the public weal. Hence acting at Rome in my official capacity, faithful to my trust, no blandishment, no terror could warp me from what I conceived to be my duty. Addressing the mild and venerable Father of the faithful, or surprised in my bed of sickness by an armed force, I endeavoured according to the best of my judgement, to exhibit in my conduct the feelings and principles of my constituents.

But my delegated character has long since expired; I have now no public duty to perform: no public principle is involved in my conduct. I stand before this meeting a private individual, and therefore my every duty of a public nature becomes personal.

If the document now read, censures my conduct whilst at Rome, I stop not to inquire whether it be authentic or not; whether its charges be vague and specific, whether proved or otherwise. I stop not to inquire how the name of his Holiness came to be attached to it: whether it be the result of legal or canonical discussion, or whether those, who deprived me of liberty, have succeeded in depriving me also of my character in the eyes of the sovereign Pontiff. I stop not to ask why the document did not precede my arrest? why it has been issued twelve-months later? in a word, why the indictment should follow the punishment: enough for me, if the Holy Father has been pleased to censure my conduct.

By faith a Catholic; by ordination a priest; by obedience a child of the Holy See, I bow with unhesitating submission, respect, and veneration to the centre of Catholicism and source of ecclesiastical subordination, the vice-gerent of Jesus Christ. I solemnly declare, that I should choose death, rather than

allow any private or personal feeling or consideration to betray me into the slightest contest with or disrespect towards the authority or dignity of the head of the Catholic Church, Pope Pius the seventh. My tongue shall never utter a syllable of complaint, nor my pen trace a line of vindication, for lest scandal should arise, in the words of the prophet, I exclaim, "Take me up and cast me into the sea."

From this moment, therefore, I publicly announce myself unconnected with every proceeding to which this document may give rise; and this my declaration shall without delay be transmitted to Rome, prostrating myself at the feet of the Holy Father; expressing my poignant regret that my conduct in any respect should have given offence, humbly imploring his forgiveness, and assuring him of my obedience, and readiness to comply with any further form of satisfaction, which in his paternal wisdom and goodness, he may vouchsafe to command."

During the perusal of this meek and penitent address, a frown sat upon the countenance of Mr. O'Connell, as if something were highly displeasing to him. He could at length no longer control his feelings, and with that spirit of animation which so peculiarly distinguishes him, he censured in the most pointed terms the judgment of those, who had selected a priest as the delegate of the Irish Catholics to the Holy See. In the conduct, which had been pursued towards the reverend gentleman, he threw the whole blame on the Catholic laity of Rome, whose conduct, he considered, ought to be made the subject of a vigorous examination, so as to discover to what particular party, the censure ought to be attached, and the obloquy removed, which had thereby been thrown upon the members of the Catholic Board in Ireland. Mr. O'Connell further said, that it would be seen from the Letter of the Pope, that a reference was made to a vetoistical arrangement, which his Holiness conceived the people were already in possession of; by a letter addressed by him sometime since to the Irish bishops, he could not but regret the necessity of disapproving of this proceeding upon their part, by having intercepted this docu-

dishonoured, imprisoned and killed. The different states were talked of as so many lasting modes of principle, and the most extravagant and stupid despotisms were admitted as eternal identification of social order. It was an error in moral calculation, arising from the inexperience of the world; there was a suspension of the active principles which disturbed the moral chaos, and its temporary tranquillity was mistaken for its final adjustment. Kings, priests, and philosophers, were almost equally agreed upon the duration of the modes that existed, and their forms were considered as fixed and unchanging as the trees and rocks of the material world. In short, it was a matter of grave prophecy to prognosticate a change in these things, and most of all was discredited any soothsaying, which pretended that the world could ever be governed by a common standard of principle and reason. The thing is however, not so monstrous a supposition as was then conceived, and it may be boasted of, as one of the grand and honourable attributes of our times, that they have revealed the symptoms of the approach of this new and glorious birth, which is destined ultimately to bring the world under the dominion of unprejudiced sense and unqualified honesty. We are struck with these reflections on finding that the triumph of popular principle which was achieved over the settled authority of corruption by the reform bill, has actually carried a vibration of sympathy into the cities of some of our most distant and hostile continental neighbours, and that in spite of all the preventions which the selfishness and misconduct of nations have placed in the way of fellow feeling, the people of Europe are really beginning to feel for one another. The irresistible voice of the English reformers has penetrated into the gloomy halls of the Escurial, and it has been responded to from the banks of the Tagus; the murmur of it has been heard in the palaces of the Russian autocrat, and the despots of Europe will soon be taught that the sovereignty of a nation is vested in the people, and that if kings be tolerated, it is only on the condition that the power with which they are vested shall be used for the benefit and not for the oppression of the people. In some of the late *movements* on the continent, which we will

for very obvious reasons not particularize, there is the proof of a growing spirit, which will in the end control the world, not to be quelled by the bayonet or the sword. There is not a nation of Europe that has not sighed for its emancipation from the shackles of its despotic rules; some have petitioned for it, and their petitions have been rejected—some have demanded it, and their demand has been refused—England for a time petitioned and demanded, neither was attended to, and therefore she very wisely and boldly set about to help herself to what she wanted. The people were firm and they wrenched from a domineering aristocracy the rights and privileges, so long with held but to which they were entitled by the constitution of the country. Yet all this would have passed off for nothing, if it had been attempted *individually*, as was proved in the case of France; it is only when the whole of Europe feels the wish, the ardent longing for general liberty that the separate happiness of any one state can be secured. It is most honourable for our times that this new political sympathy has dawned on them; it is well for Ireland that the voice has penetrated to her mountains, and that her champions are in the field to obtain for her her legitimate rights, or declare themselves a separate and independent nation.

Heartily and especially do we rejoice in the discovery of the luminations of liberal and enlightened principles over the dreary waste of Ireland; there have been things done and said which might almost be taken for forebodings of her speedy redemption from the manifold mischiefs which harrass and degrade her. There was always virtue enough in Ireland; there was always wit enough in her scholars, and valour enough in her heroes to lead the people to liberty and happiness; but hitherto there has been a want of political intellect amongst the mass of her people, which has prevented them from knowing the shortest and safest roads, and hence they have been so frequently surprised, ambuscaded, betrayed and desolated in their march. They have now, however, entered a more open field, where there are no hedges to cover hypocrisy and perfidy, while they go about withering the very vitals of the common weal with their secret and deleterious

mischiefs. If the spirit which now pervades the whole of Ireland fulfil its hopes, we shall soon be able to say to her, arise, shine, for the light is come, and the glory of freedom is risen upon thee.

The foregoing remarks have been drawn from us by the political state of Ireland, during the general election of 1818, in which Mr. O'Connell stood forth as the undaunted champion of liberty and toleration and in which the power of his influence was exercised in a most extraordinary degree, in procuring the return of those persons to Parliament who would advocate the cause of Catholic Emancipation, and the redress of all those grievances and disabilities, which weighed so heavily upon the Irish people.

It was at the election for the county of Kerry, that the eloquence of Mr. O'Connell made his opponents quail before him, and in whose speech were contained certain passages which went home to the breast of every Irishman, and placed him on a pinnacle of fame, from which the confederated power of the English aristocracy has not been able to hurl him.

At the election of Kerry, Mr. Denny was invited to offer himself as a candidate, but declined, and in his place a Colonel Crosbie was put in nomination, a stiff, uncompromising Protestant, whose imagination conjured up the most hideous phantoms in the admission of the Irish people to equal laws and equal rights, and who was therefore a very unfit person to be sent to Parliament, at a time when the question of Catholic Emancipation would become one of the principal subjects under discussion. To prevent this return, Mr. O'Connell put forth his gigantic powers, and on the Knight of Kerry being proposed and seconded, he addressed the electors, and began by shortly commenting on the speech, which had been rather read than spoken, by Col. Crosbie. He then said that he attended that election with a double motive; First, to insure, as far as one humble individual could do, the return of the Knight of Kerry; and secondly, to assist in procuring a substitute in Mr. Denny, for Col. Crosbie. The first of these objects, which was that in which he was most deeply

interested, had been fully obtained. It was his first and leading wish, had it been amply gratified. In fact, the return of the Knight of Kerry never was for one single moment doubtful; and the private virtues, and public services of that distinguished gentleman, placed him without a rival or an opponent, foremost in the affection and choice of his countrymen. In his second object, those who thought with him had failed. An amiable young gentleman, the heir of a most ancient and honourable family, possessing a splendid patrimony, which it was his intention to live upon amongst them; a young gentleman of classical education, and most liberal and enlightened views, the early advocate and hereditary friend of religious liberty; Mr. Denny has been disappointed in his expectations of representing this great enlightened county; and the representation of this county was once more, and he trusted for the last time handed over to a single lord, and his nominee, Colonel Crosbie. It was a duty which the friends of the independence of the county and of Mr. Denny owed to themselves, and their countrymen to explain how so disastrous a circumstance had occurred. The fact was, that the registry of freeholders, as usual in Ireland was deferred until the last moment, and the far greater number of votes were registered last year. On the Ventry estates, members were registered in March and April 1817. On the other estates, the registry took place in July, August, and September. This accident gave an apparent superiority to Colonel Crosbie which although apparent only and not real, served to terrify some of the friends of Mr. Denny from the contest. For his part, he had examined the registry and examined it closely, and he could truly assert, that if the contest had proceeded, there would have been a majority of at least 300 voters in the popular interest. His sentiment therefore was for ever *sed diis aliter viseim.* An overwhelming desire to preserve what was called, the peace of the county, allowed that county to sink into the repose of a borough, and while the advocates of reform liberty rejoiced in the unquestionable success of the knight of Kerry, the friends of public peculation, and of the ministry, might shout at the victory of Colonel Crosbie. It

would be but a short lived triumph, the county was now roused, and no lord or lady either, however respectable or wealthy could or should control the independent resident gentry of this county. Of the resident gentry eighteen out of twenty were favourable to Mr. Denny, (some cries of no no.) Well will you deny that fifteen out of every twenty are in his favour? You are silent; you admit fifteen out of twenty, and I re-assert that there are eighteen out of twenty in his favour. The preference given to the knight of Kerry by the independent interest was quite natural His conduct in Parliament commanded their suffrages. For twenty three years he has represented this county. For three-and-twenty years he has never given a vote in Parliament save one, with which his constituents could be dissatisfied. With that single exception his conduct must be described in one single word,"patriotism." The exception was the vote for the union. I mention it readily, though a very sincere admirer of his talent, as well as of his patriotic labours. I mention it because it is the right, as well as the duty of the elector to express his disapprobation of the measures of his representative. But, I am, in point of justice bound to add, that I know he has long and bitterly repented of that vote; and that the delusion and deceit which were practised to procure that vote from him have long since been exposed, and that he now ardently longs for an opportunity to make reparation, by anxiously endeavouring to repeal that odious and detestable measure, *the union*—(much cheering). In Parliament, the Knight of Kerry has constantly opposed the wasteful and profligate expenditure of the public money, he has voted uniformly for every practicable retrenchment and economy, he has been the decided enemy of the infamous system of road jobbing, and lent his best exertions to ameliorate that system which is so universally a source of complaint and oppression. He has also sedulously and ardently endeavoured to mitigate the horror of the tithe system, and to snatch the potato pot of the cottager from the gripe of the rapacious tithe proctor. He has the merit of having proposed to Parliament an exemption which was resisted there, as trenching on the rights of the church; but which has been

generally conceded in this county by the individual liberality of the Rev. Mr. Kyde, and of other respectable clergymen. He has opposed from the beginning the acts of gagging the people of England, and for suspending the Habeas Corpus act there He has opposed the Peeling bills, and those for suspending the constitution of Ireland. He has always voted for a thorough reform in the Commons House of Parliament, and he goes back to Parliament the decided advocate of parliamentary reform. Such is the short and true abstract of his conduct. The enemy of every species of waste-jobbing; the decided friend of every practicable and constitutional reform. Has he not obtained your approbation? Does he not deserve your suffrages? (Loud cheers). Yes, we are, and we ought to be proud of such a representative. Let him stand forward in contrast with any, or all of the other Irish members. Where can Ireland boast of so constant, so faithful, so disinterested a guardian of the public rights and liberties? Good God! Sir, what benefits may not result to this wretched and obscure province of Ireland, if every county would but return even one such a member? It is with much regret, Sir, that I return from this portrait, to one of a far different description. To Colonel Crosbie, I have not, indeed I cannot have any personal ill will. On the contrary, I am as ready as any man to give him praise, where praise is due; I freely and cheerfully admit, that he is a very respectable country gentleman, that he is possessed of an hereditary property, entitling him to look to the representation of your county, that his manners are courteous and affable, and that in his conduct and dealings as a private individual, he is honest and honourable. All this I readily allow; but I deny, I utterly deny his fitness to be our representative. Speaking of him as a public man, I should exclude him from Parliament for two reasons; first, for his want of capacity for that station; secondly, for his want of purity. Yes, Sir, from his want of capacity to do the business of Parliament with an efficacy, it is quite necessary that the member should be able to explain his sentiments in public. I do not desire to have all the members great orators, to have them all

distinguished speakers; but no man should attempt to go to parliament who cannot deliver three sentences in public. How could the honourable Colonel put the house in possession of any of the grievances of this wretched country? How could he show the proper remedy for any mischief? Alas! Sir, it was with difficulty he got through the few sentences, which he appeared to me to read to this assembly, and before men with whom he is familiar. If you want an advocate before a jury would you return a man that was dumb? If you want an attorney, would you employ one who could not write? Why then should an intelligent country employ a legislator who cannot express one single argument either for or against any law whatsoever? I mean the honourable gentleman no disrespect, but I must say in melancholy candour, he is totally incapable of serving us in Parliament. But, Sir, if he possessed the talents of his colleague, the Knight of Kerry, I should still object to Colonel Crosbie for his want of political integrity. There is a very false notion of morality abroad on this subject. The man, who, like him, would not behave with the slightest disregard to principle in private life, at once casts off, as a public character all regard to principle. My accusation against him is that he has been in Parliament only to obey the mandate of a minister. Through thick and through thin, he has voted for the minister; good, bad, or indifferent, he has voted with the minister, I do not know whether he took the trouble of listening to any debate, but he was present at the division. What measure of the minister did he not support, from Croker's war salary job, to the great job of suspending the British liberties? All their taxes; all their profligate waste and expenditure of the public money; all the aggressions of the minister on individual safety and public liberty, had the vote of the honourable member. He was always found to swell the ministerial majority. and no clerk in office ever attended with more punctuality to pour in his vote at the sound of the division bell against the property and liberties of the people. The division bell was his constant monitor; that new badge of slavery and degradation, by which the minister

summons his servants to the note, as the keeper of a tavern summons his menials to their servile duties. The division bell supplies the place of argument and reason, and the well-trained majority mock the nation's sufferings, by attending to it, as a pack of hounds obey the huntsman's call. Let it not be imagined that the people have no interest in this ministerial profligacy; they deeply feel the wanton waste of public money, in the taxes which we are obliged to pay to supply their waste. Yes, Sir, the poorest of them pay taxes for every article they wear, from the shoes which occasionally protect their feet, to the hat, which they sometimes wear on their heads.

The price of the grain of salt which is so often the only miserable zest to their miserable food is $\frac{3}{4}$ tax. Yes, the very poorest of the people pay in taxes a higher rent, merely for leave to live, than they pay to the most oppresive and griping landlord, for house and land. Have not the people a direct interest to exclude from parliament those men, who are ready to vote as many taxes as the minister pleases, on the iniquitous terms of being allowed to share with that minister a portion of the public plunder? Yes, I do confidently appeal to the honourable member to say, whether such conduct be just—is it honest? He is about to be again a legislator, he will have again to concur in making those laws, which doom the miserable sheep-stealer to death for stealing a few sheep. But, of what value is the theft of an entire flock compared with the breach of the highest and most important trust, the violation of the most sacred duty? How can those legislators punish the lesser crimes, while they themselves perpetrate the greater? Does not morality revolt, when death is assigned as a punishment for a small violation of property, and honours and rewards are conceded to those who violate the property of the nation, plunder the country wholesale of its money, and rob it of its greatest wealth, of its liberties, without measure, compunction, or remorse? It is, Sir, of this inattention to his constituents' interest that I arraign the honourable member this day. He has again become a legislator, but he has (let him

rely upon it) become so for the last time, unless he alters his course, abandons the ministers, when they are wrong, and votes for the rights and liberties of the people. So far am I from feeling personal enmity to him, that if he shapes his course according to the spirit of the constitution, I here publicly pledge myself to give him my vote and whatever interest I can command or influence at the next election: at that election, if I live so long, I shall meet him, and if he again claims our votes, I will then ask him, have, you sir, in parliament voted for economy and retrenchment? Let him not answer, Oh! no; for if I did, I should not have obtained an office in the excise for my near relation. Have you, sir, I will continue, voted for the diminution of the standing army, and the abolition of the sinecure places and undeserved pensions? Let him not meet me with a reply, that if he did so, he could not have procured the collection of the customs for a near connexion. Such replies may be good-natured, but they are utterly inconsistent with his duty; and he may rest assured that there is too much of the spirit of independence in this country, to allow its representation to become a matter of traffic or barter for any family. I cannot conclude without alluding to a topic which the honourable Colonel has introduced into his address to the electors of this county. He has accused the Catholics of this county of ingratitude, he asserts that he has done much for them and met with no requital. I will examine each branch of assertion and I think easily refute both, I deny his services, I deny his want of obligation to the Catholics. Let us examine the latter first. Is he really under no obligation to the Catholics? By whom has he been elected three times for this county? I will tell him, by Catholic electors, of the freeholders who have voted for him at any election, I am quite safe in saying, that not above three in a hundred were Protestants. Indeed, giving two per cent, for Protestants would probably be too high a ratio. Who then is under the obligation? But perhaps, he may say, that it was not the Catholic freeholders, but the Protestant land-owners who returned him.

He seems to nod assent to that proposition. What then, is this his constitutional doctrine, that the voters are the property of their landlords? that they are part of the live stock of the estate, and may, with the rest of the cattle, be driven to the market of corruption by the slave driver of the estate? But no, no, he is greatly mistaken; the men of Kerry cannot be so controlled. I admit, there are some of them at present involved in their landlords' toils; but if the contest had continued, we should have shown him, that no authority could have forced the humblest Catholic of this county to vote against their conscience, their religion, and their country. The peasantry of Ireland are calumniated by their enemies, and often forsaken by their friends, but they are as faithful as they are brave, and when they like the cause, can as little be corrupted as intimidated. I dismiss the assertion that he, who represents Catholics almost exclusively, owes those Catholics no obligation, I come to that, which boasts of his services to those Catholics, services which I utterly deny. He gives himself out as a patron. Sir, there is nothing fills my heart with a more bitter sense of degradation and indignity, than that my equals, that men to whom neither birth, nor fortune, nor education, nor, I humbly conceive intellect, can give any claim to superiority over me, should come upon me with the air of patronage and protection. It is really the most insufferable insult which the iniquity of the penal code inflicts on the Catholics to subject them to this affectation of patronage. Sir, I will not be patronized by Colonel Crosbie. In this county, thank God, in all the relations of private life, religious distinctions are utterly unknown. We have each of us our dearest friends, our nearest connexions, our closest relations of different sects and persuasions: and this difference never interrupts the harmony of our families or the intercourse of friendship or business. Kerry exhibits, what all Ireland would be, if those odious distinctions were abolished; we never think of religious differences, except when it is forced on us by the injustice of the laws. I have therefore no hesitation in describing the penal code in the hearing of my Protestant friends

and relations in its true colours. The penal code, sir, is a punishment to the Catholics; but it is also a disgrace to the Protestants. *(Loud and long continued applause from all parts of the court house.)* Yes, sir, the penal code most unjustly punishes the Catholics for adhering to the faith of their fathers; but it, at the same time inflicts (and I say it in sorrow, not in reproach) a merited disgrace on the Protestants, for allowing conscientious belief to be a cause for punishment. But that disgrace has another source: it stands prominent on a two-fold basis; first it is founded on a direct violation of a solemn treaty; secondly, it is founded on the basest of all possible principles, the principle of religious intolerance. With respect to the first, the Treaty of Limerick, solemnly made and deliberately ratified, confirmed in the most express terms religious liberty to the Catholics of Ireland. The history of the world does not afford perhaps, so strong, so direct, so unequivocal a breach of public faith and national honour, as that of the Protestants of this empire, in the violation of that treaty. There was not a shadow of excuse, there was not a particle of pretence for that violation. It was a plain and undisguised contempt of good faith and solemn compact, unknown to the history of the most savage and barbarous nations Such is the stain that colours the vote of Protestantism in these counties; such is the disgrace which the Protestants of Kerry are anxious to remove from their Christian worship; but which must ever remain a bye-word and a reproach, until the Catholics of Ireland shall be placed, where the Treaty of Limerick put them, on a footing of perfect equality with their Protestant fellow-subjects. Yes, Sir. the second ground of reproach is much stronger, in my judgement. A compact, once violated, *seems* no longer to bind those who were not actual parties to it. Let my Protestant brethren have the benefit, even of this excuse, however idle and insufficient it may appear to a just or philosophical mind. But who shall excuse Protestantism for an adherence, at this enlightened period of the world, to the principle of religious intolerance? Protestantism is founded on an individual assertion of liberty of conscience; yet

it contradicts its own first principle, it denies to others that, without which it could itself have no existence. Surely, it is no slight reproach, that at this time of the day, there should be found a nation, calling itself free and enlightened, which still interferes with conscience, and presumes to punish any man for worshipping the Deity according to the dictates of his conscience. I know of no injustice so great, as that which interposes between man and his Creator, and declares that the Christian shall not be sincere in his religious belief with impunity, which holds out a reward to hypocrisy, and makes lip-service more valuable than the innate devotion of the heart. I like to dwell on these principles, because these are the principles which the Catholics of Ireland always assert and vindicate. These are the principles which Catholic States and people carry into practical effect; and have the glory of being almost the only, I believe I may say, the only religious community who have carried them into practical effect. On this subject I delight to dwell on the example of Maryland, a Catholic State which was the first, that after the Reformation, allowed perfect liberty of conscience. I cannot dwell on this State. Bavaria, hitherto described as one of the most bigotted of the Catholic States, has within these few weeks, granted complete and unqualified emancipation to its Protestant subjects. The first example, Maryland; the last example, Bavaria, of religious liberty, has been given by Catholic States. Can we forget the bright example set by the Catholic Parliament of Hungary? the Diet, which about 20 years ago, unanimously emancipated their Protestant brethren. In France, too, the very Bourbons have been obliged to yield to the force of religious liberty; and the laws, in Catholic France, throw no distinction between Protestant and Catholic. Where will my friends of the Protestant persuasion find in their church such instances of liberality? Need I remind them, that a Catholic King has long reigned over Protestant Saxony, with such a tender care for the consciences of his Protestant subjects, as to have always been, whether Elector or King, one of the most popular monarchs in the universe. So stands the true

state of the comparison. The Protestant talks of liberality, but continues a bigotted exclusion. The Catholic is calumniated and excluded by his Protestant fellow Christian, and yet affords the first, the last, and the brightest and best examples of religious liberty. The Protestants of Kerry, who have always exhibited in public and private, the true spirit of Christian liberality, will feel that I do them but justice, when I fully acquit them of any share in the disgrace of religious intolerance. It is, indeed, to them chiefly that I submit Col. Crosbie's claims on Catholic gratitude, I call on my Protestant friends to investigate those claims, and to decide whether I am right or wrong in denying them. I own that Col. Crosbie gives the Catholics the benefit of a silent vote on each annual discussion of our question; that is the sum and substance of his services; but what a miserable mockery and delusion this is. He gives away every other vote to support the present intolerant administration in Ireland; he is the friend and supporter, on every other occasion, of our most unrelenting and bitter enemies, the Irish Cabinet. The ministry is strangely dove-tailed and put together. Three of the Cabinet ministers in England are friendly to emancipation; four of the British Cabinet are hostile to religious liberty; and Ireland, which one would think ought to belong to the liberal part, is really consigned to the bigotted part of the ministry. Accordingly, the administration of Ireland is handed over to those avowed agents of intolerance, Lord Manners, Mr. Saurin, and Peel; the latter of whom has realized the ludicrous expression of Shakspeare, and is literally a *deputy over* the Lord-lieutenant. Now this is the administration which Col. Crosbie anxiously supports and sustains, and thus he counteracts most completely the one vote he gives for us, by the hundred votes he gives to keep our decided enemies in power. The Catholics of Kerry are not to be deluded. Such members as Col. Crosbie are, in truth, the worst enemies of the Catholics; because they disguise themselves under the pretence of being our friends. They are the props and pillars of the very bitterest and most

unrelenting opponents the Catholics ever had ; and it is really an insult to the Catholics of Kerry, to think they can be thus duped ; we have too much common sense not to see through the delusion ; and those, who support Col. Crosbie in this county should know, that if he continues in the present Parliament to be the constant advocate of this bigotted and intolerant administration, they must allow themselves to be the most mischievous enemies of Catholic Emancipation, the country can produce. I repeat I am not the enemy of Col. Crosbie. Let him imitate the Knight of Kerry, and he shall have my vote. Let him cease to befriend the enemies of the Catholics, whom neither he nor his patron can delude, and we will become his friends. He is about entering into a busy scene. The next session is likely to produce important results. Corruption and bigotry have met with nothing but defeat and disgrace in England. It was in vain the *Courier* raised the war-whoop of " No Popery " against Wood and Waithman. It was in vain that the prototype of beastly jollification, Sir William Curtis, swore upon a rock of Bibles that he would vote against our emancipation. London has gloriously vindicated itself. Sir William has, in vulgar phrase, suited to his capacity, been kicked out, and the friends of civil and religious liberty, and above all, of parliamentary reform, have been returned. In Southwark, two distinguished reformers, the liberal Calvert, and Wilson, the soul of modern chivalry, have been elected. In Westminster, Romily stands at the head of the poll. Romily, the most useful man that ever entered the House of Commons. Romily, who in a profession, servile to a proverb, has preserved the most pure independence, stands at the head of the poll; and I have the consolation to announce that the packet, which has arrived this moment, gives the delightful intelligence that Sir Francis Burdett is a-head of the ministerial candidate. Yes, there is a redeeming spirit abroad, the genius of the constitution is walking forth in its native dignity, the miserable farce of parliamentary jobbing will soon terminate. The Union has rendered Ireland sluggish and torpid; but Ireland, too, is beginning to arouse, she will awake, like a giant refreshed

with wine, and scorning sectarian distinctions and sectarian privileges, she will with her universal people, join the shout that calls for liberty and the constitution. Yes, even in this remote county, the voice of liberty would be heard, and Col. Crosbie and his supporters may rely on it, that even here, the people cannot any longer be treated with contempt, or excluded with impunity.

The only privilege which the people have left, is the elective franchise, and even this it seems, they have not the spirit to exercise. After this, what right has Ireland to complain, if either on the window-tax question, or any other question, our representatives will not even give themselves the trouble of crossing the Channel. If you be contented to submit to this degradation, it is not for me to murmur, capable as I am by my own conduct of redeeming myself individually; as I hear, however, that some of your news-room wiseacres have taken offence at an expression which I made use of in another place, and as every man who puts himself politically forward, should be able to give a reason for "the faith that is in him," you shall have mine freely and fearlessly. The declaration was, "that if the next Parliament be like the last, we may write the epitaph of the British Constitution." I repeat it now, and I further add, that it is quite impossible things can go on, unless there be some change either in the members we return to that House, or in the constitution of that House itself. Are you aware, that of what is called the House of Commons, 82 Peers nominate 300, and 123 Commoners nominate 187, and thus you have out of 658 members, 487 actually nominated by 205 constituents, and this they call the *Representation of the People.** If this continues, is there any use in elections? Is there any use in petitioning, when hired majorities can stifle them and a borough-monger-

* The Reform Bill has in some measure reduced the number of nominees but there is still too much of the leaven of aristocracy mingled with the representation of the country, and we have good grounds to believe that it is rather on the increase than otherwise. Nothing but the ballot can destroy the hydra of aristocratical influence in the elections of this county.

ing influence can defeat the other? Does any man propose a reformation of the system? He is immediately denounced as a visionary, or worse. So it was in England, with Fox and Sheridan, and the consequence was, she lost America. So it was amongst yourselves, with Grattan and with Flood, and the consequence was, that those who bought you, sold you. We were bartered into a province, and but the other day, in the Imperial Parliament, upon a vital question, 75 of your members left you at the mercy of a puppet majority, who not only rivetted your chains, but rebuked you for clanking them. This is the way in which I wish to meet the question, not by empty declamation, but by stubborn facts, facts which are now recorded to our shame upon the adamants of history. Look to the conduct of the very last Parliament, in almost every instance the echo of the minister, and the justification of the malcontent; conduct, which I will demonstrate has done more to disgrace us abroad, and to enslave us at home, than mere unequivocal, unblushing despotism ever could have effected. Look to that conduct after a protracted war, unparalleled in its duration, and unprovoked in its origin, during which money enough was spent to purchase, and blood enough to insulate the continent; during which we alternately fought and subsidized every faithless despot; now libelling the worthless, now lauding the magnanimous Alexander; to-day in the field with temporizing Austria; to-morrow bribing the convenient Prussia; now smiling upon Poland's plunder; now establishing the Spanish Inquisition; now at Amiens acknowledging the French Consul; now at Waterloo, cheering the blood-cry of legitimacy. After this base abandonment of public principle, this barbarous gambling with the nation's happiness, we found ourselves at last consistent in nothing but inconsistencies, seated in the legitimate Congress of Vienna, between the northern Autocrat and a serjeant of Napoleon, and secretly laughed at by both; was not this a rare, a natural consummation, well worthy the fraudful leagues and bloody infractions which had diversified the contest, well worthy the orphanage

and widowhood, which had shadowed England with woe, and the frantic expenditure which has almost beggared her with debt. This has been the consequence, and what, do you remember, was the motive to the aggression? Was it the establishment of human liberty? Was it the advance of human morals? Was it the vindication of national character? Was it even any high toned and heroic impulse which flung a factitious glory over the warrior's progress, and gave the battle horrors a visionary justification? Far from it. It was the most unjustifiable motive that ever unsheathed the British sword; the most unconstitutional, that ever stained the British annals. It was a bare faced interference with a foreign country in the choice of its own government; a direct infraction of the very principle upon which England founded her glorious revolution. It was a legislative denunciation of the doctrines acted on in 1688, proclaiming James a martyr, and William an usurper, and the people no better than rebellious regicides. The war, however, had its pretences. Its first was the French Republic; driven from this, its next was, peace and retribution. Indemnity for the past, and security for the future, were the Premier's war-whoop, and what has been our indemnity?—the massacre of our population, the debasement of our character, the accumulation of our debt beyond all spendthrift precedent, famine in our streets, and fever in our houses; the establishment in Europe of a military despotism, which leaves the very name of Freedom a mockery; the payment of war taxes in time of peace, scarcely leaving it doubtful whether the burdens were imposed to support the war, or the war commenced to justify the taxes; and finally, the suspension of our Constitution, if we offer to remonstrate. This has been our dear-bought indemnity. And what is our security? A Holy Alliance, forsooth! a league of kings, unhallowed and mysterious, bound by a compact, which must not be known, and fenced by bayonets, which cannot be resisted; this is our security;—the breath of Princes, the caprice of an hydra, now fatigued over the recent banquet,

and only waiting for its hungry hour again to glisten in ungorged rapacity. Alas! what tenure have we even of such an alliance? Is there a member of that panic horde, who has not been in turn the foe of his ally, and the ally of his foe, and do you expect they will preserve that faith towards us, which they have not been able to preserve towards one another? Is there a man of them who did not bow to Napoleon, and confess his title, and court his confederation, and then denounce him as an illegitimate usurper? And was there amongst them afterwards a consistent renegade to deny the hand of fraternity to Bernadotte, raised from the very ranks of that Napoleon? Perhaps this mutability of political principle may be counteracted by a personal attachment? Let Prussia answer it, when she looks at Alexander, and remembers the perfidious abandonment of Tilsit. Let Sweden answer it, when she thinks on Finland. Let Poland and Saxony acknowledge it to Prussia. Let Genoa speak. Let extinguished Venice proclaim it for Austria. Let Austria herself avouch it for France, and then turn to her immolated daughter, immolated with a worse than Jewish cruelty, not to the god of battles, but to the infernal moloch of self interest. I speak not now of that devoted France bending over her violated charter and with tears of blood, expiating the credulity that put its faith in princes. But I speak of England, of the parliament of England, consenting to the plunder, smiling on the partition, squandering the resources of a generous and gallant people, fleets and armies and generations, and for what? To forward the fraud of the continental intriguer, to establish every species of despotism, for the restoration of those sanguinary frauds upon human freedom, against which our sages wrote, and our warriors fought and our revolution thundered? Shades of Locke and of Milton, were these your doctrines? Blood of the Russells and Hampdens, has this been your legacy? People of England, is it for this that your orphans and your widows mourn in silent resignation, that your industry surrenders its hardly earned pittance, that your poorhouses are choked with a famishing population? Let those

men answer it, who in the name of Parliament, ratified the treaties, voted the supplies, advanced the subsidies, and cheered the ministry, just reeking from that hopeful congress, where *legitimacy, drunk with human blood, flung its sword into the scale against which the liberties of a world were balanced.*

I have just touched upon their conduct as to our foreign relations. Has it been compensated by their domestic policy? As far as in them lay, they have virtually annihilated the British constitution, and paved the way for a military despotism. They levelled one by one every barrier, which the wisdom of ages raised around the liberties of the people. They suspended the Habeas Corpus Act. Fathers of families were dragged from their houses, loaded with irons, subjected to disease, stamped with ignominy, their helpless children turned adrift to beggary and prostitution, and then, as they had been imprisoned without a crime, so were they released without even the decency of accusation, They then passed the infamous gagging Act; public meetings were forbidden; the power of discussion was withheld; the right of petition was, in fact, annihilated. It was a natural consequence of the former measure, when innocense is no exception from punishment; the privilege of complaint is but a mockery. They then countenanced Lord Sidmouth's circular. A magistracy, perhaps ignorant, perhaps corrupt, perhaps both, we at least can fancy such a magistracy, were invested with an arbitrary construction of the Act of Libel, upon which our most learned lawyers have differed in opinion. They then sanctioned the oppressive Alien Act, which flung back into the jaws of death the patriotic victims of despotic power, and wrested from England her imprescriptible privilege of giving refuge to virtuous destitution. They then scouted the repeal of the Septennial Act, an Act which they were never delegated the power to pass, and upon the principle of which they might as well make the representation a heir loom in their families. I will not further recapitulate this conduct, but I will remind you, that the situation of the captive, under these measures, was solitary imprisonment. Against all law or precedent, even magistrates were

forbiden to visit them; one man died; another, Mr. Ogden, the subject of merriment, has survived only to protracted agony. I pass from the subject, it is too painful to dwell upon. What was the pretence for this temporary despotism? A plot! a plot! hatched by two apothecaries and a lame cobler; the tower was to be stormed, and the bank plundered, and London garrisoned by a buckram army; whose treasury was a cypher, whose camp equipage was a blanket, whose ammunition chest was an old stocking, and whose park of artillery consisted of the mortar, which most rebelliously had outlived the wreck of the apothecaries. Those people were arraigned upon the evidence of a villain, all leprous with crimes, whom the event proved to be the only convict; a wretch, who, when we saw the predestined victim, and looked at the high priest, filled the mind of Ireland with terrific recollections, recalling instinctively that reign of blood, when we too had our Castles and our Olivers; when the bribed and perjured cannibal went forth inducing the crime, that he might betray the criminal; when neither youth, nor age, nor sex, nor innocence, could conciliate or avert those coiners of human blood, those vampires of the grave, those monsters without a name, *before whose path the freshness of humanity withered*, in whose accursed minds, conscience was only a commercial instrument, and friendship, treachery; and gratitude, murder; who turned this land into one scene of hell, in which the pangs and convulsions of the sufferer only stimulated the ferocious exultation of their tormentors, who crept into the family of the nearest and the dearest, courting the board, and pledging the cup, and fondling the infant, even at the very moment when they were waylaying the unguarded confidence of the parent, to devote him to the scaffold, and to rise upon his tomb. I am shocked to ask, did the late parliament shield the employment of these ferocious and commercial cannibals? If they did not, what was the meaning of the Indemnity Bill? What difference is there between the perpetrator of a deed, and the ministers, who instigate it, and the parliament, who protect it? I can see none, I see them chained together in one com-

munity of infliction, and whether I touch the highest or the lowest link, the thrill of horror is the same in its communication.

Gentlemen! I say again, if these things continue, we may bid farewell for ever to our liberties. Of what use are all our visionary safeguards? Of what use is the responsibility of ministers, if it is to depend upon the will of a Parliament, whose majority is the creature of those ministers? What avail our so celebrated laws, if they are to be thus capriciously suspended? What is our constitution with its theoretic blessings, but a practical and splendid mockery, if its noblest ornaments are to be effaced at will, and its strength turned into an engine of oppression? Oh, it is worse than fatuity in us to deceive ourselves. The tower in which we trusted, turns out at last to be but a goodly vision, fair indeed to the eye, but as false as it is fair; falling to pieces at the wand of the minister, when the forlorn people approach it for protection.

Such are my reasons for the assertion which I have made; this inference may perhaps be doubted by many, who can never see any thing, even problematical, in the basest conduct "of the powers that be," their existence, however, at least, is undeniable."

It is impossible to describe the sensation which some parts of this speech excited; frequently was the applause so great, as to prevent the orator from proceeding for some minutes, and at the close of it, broke forth a shout of approbation, which made the welkin ring, but struck terror and dismay into the hearts of the opposite party. In this election, however, Mr. O'Connell obtained a clear insight into the foulness of the corruption which so peculiarly distinguished the Irish elections, proceeding chiefly from the facility of the great landholders, in making 40s. freeholders; and thus bringing up a crowd of votes to the poll, sufficient to overwhelm any number which the liberal and independent party could bring against them. The great and avowed aim of the Aristocratic party was to keep the representation of Ireland in their own

hands; and as the Aristocratic party and the Protestant party were the same, it required very slight discriminating powers to perceive, that until the Catholics should be put in possession of equal civil rights with the Protestants, no rational expectation could be formed of permanent tranquillity to Ireland. The national character of the Irish, it is true, had lately undergone as great and visible changes as that of individuals, and every man, by looking into his own breast, and taking even the most hasty retrospect of his own opinions, must be conscious of the great alterations which are taking place in his mind, as the progress of years, and occurrence of unexpected circumstances shed new light upon his experience. It was the knowledge which Mr. O'Connell possessed of the national character of his countrymen, which enabled him to accomplish those great designs, which has rendered his name so famous in history, and though nothing is more real, or better understood than national character, yet after all, it is an abstract idea of no little complexity. The general and loose notions which prevail every where concerning the characters of nations, are for the most part founded in truth, because founded on the consent and experience of mankind. But though true at bottom, and though the consent and experience of the surest guides to whom we can trust, it often happens, that there is a considerable mixture of error and prejudice to be found mingled with the popular notions. So it is with individual character. If we could collect the general sense of society, we should find that, upon the whole, individual character is pretty accurately ascertained, and we should obtain nearly the pure and unadulterated truth, strained through so many coarse mediums. The public judge from the whole tenour of life, and a whole series of actions; they are impartial observers, and standing afar off, are less likely to form erroneous judgments, than those who by their near approach to the object, may be affected by its influence; and as they are themselves composed, be drawn within its circle, or repelled from its orbit, and their admiration or aversion may be the

result, as well of their own characters as of those which are the subject of their observation.

It may be a small thing, if an individual suffer from prejudices or mistake, time will do him justice, or will find a grave for the calumny as well as for its object. There is a term for the individual and for his sufferings, but a nation lives always, and its wrongs are perpetuated from age to age.

The value of a good character seems generally well understood in private life, and though it be thought that the rich and powerful are more independent of it, yet even in their case, it is felt to be of inestimable value. The good name of a nation is not less worthy of care, and he is a paltry politician who would sacrifice it for a small, or indeed for any consideration.

Mr. O'Connell felt the truth of the above remarks, and he boldly acted up to the spirit of them. Although the shafts of calumny began to be shot at him from every quarter, the *mens conscia recti* was, however, in him. In the consciousness of the justice of the cause, he looked disdainfully from his strong hold, and defied the assaults of his puny antagonists. The character of his native country was in his hands, and he determined to support it, even though himself might be the victim. The foundation of his action was however the intimate knowledge which he possessed of the national character. and although the good and evil that is in character, is in a great degree the result of circumstances, over which Providence alone has controul, yet there is a national genius which predominates over all, like the hereditary peculiarities of some families, distinguished for taste or talent, for probity or folly. Mr. O'Connell was in himself at this time, an epitome of the Irish character particularly as he exhibited himself in the character of an orator, for it must be admitted that the popular writers and orators of any nation furnish a good exemplification of its character ; they are the embodied spirit of the nation, and are the voice of the people uttering the deep and sublime things shut up in the bosom of the populace.

Nations, sometimes, for a long period lose their power of utterance, and they suffer and are deeply afflicted under the dread privation, for they delight in the faculty of speech, and of holding converse with the world. Providence cannot bestow a greater blessing upon the nation, than to give it a multitude of tongues, to speak its thoughts and feelings. It is revived by the melody of its own voice, the echoes of its favorite strain speak upon every hill, and fill every valley with pleasure. The people are roused, as if one man, by the conscious community of feeling; they are enlightened by their own musings, as they ponder upon the things they themselves have uttered, and led by the mysterious faculty of speech, they find their way to greatness and prosperity.

If then we would know the genius of a people, we must attend to what they have said, and how they have spoken, and in this respect, perhaps, there is not a country which can vie with Ireland in the number and excellence of her orators. When Ireland revived, after a short breathing, from the state of wretchedness and exhaustion in which her civil wars had left her, and had shaken off in her first rousings, a portion of the penal and disabling laws, which oppressed her, the spirit of the nation found utterance, and spoke with the mouths of Burke and Grattan, and Curran and Swift, in later times of O'Connell, Sheil, Plunkett and O'Gorman. Ireland has abounded with orators, good and bad; but her first race were giants; of this mighty race Burke might be considered the first, and Mr. O'Connell the last. Between these two, stood many a glorious name, resplendent with important public services. It is not ours, however, to call forth the spirits of the mighty dead, the two we have named will serve to illustrate the genius of their country. The brilliancy, the splendid magnificence of Burke, the grandeur and variety of his dazzling imagery, the rushing torrent of his thoughts, flowing and spreading into a boundless amplitude of illustration. His flight was as with the eye and the wings of the eagle of his own hills, and the plumage of the bird of paradise.

Mr. O'Connell in his oratory, differs widely from Burke; he possesses more of those useful powers, more of that business like conduct, the application of which was necessary for his advancement. Cast in a rougher mould, than some of his colleagues, less sensitive, less fastidious, less morbid, more anxious about the end than the means, desirous of resting his reputation and the question before him on some tangible basis, and comparatively careless of occupying an eminence in the ideal world, preferring to be an object of sight rather than of faith, Mr. O'Connell descended at once into the paths of literal life, and forcing his way through the crowd with the earnestness of a person intent at arriving at a certain and definite gaol, he was wholly unconcerned, whether the by-standers should remark the slovenliness of his gait, or the rustic violence of his speed, provided he at length reached the object which he sought. This singleness of purpose, this unity of design it was, that rendered such service to his cause, and impelled it forward in a rectilinear course. There was no complication of views and interests in his system to create any divergency. The resting places of his ambition were also the pivots of the question. This was the line of conduct that he pursued when he appeared on the hustings of the Kerry election, and it was also the spirit with which he entered into the contest. Of the lookers on, some laughed, some frowned, some wept, others stood on each side with wonder and amaze; but, meanwhile, Mr. O'Connell jostled on, pommelled this person, shouldered another, shoved the High Sheriff out of the way, trod on the heels of the opposing candidate, and thereby expedited the object which he had in view, and attained the eminence his talents deserved.

Perhaps no two men of the present day are in their oratory more opposite and distinct than Mr. O'Connell and Mr. Sheil. The former's manner of "roughing it," as the phrase goes, does not suit the taste of the latter; his turn of mind is more aristocratical than that of his colleague; less fitted for the plebeian contact of matter of fact and practical life, he may desire to place himself and the cause on a summit; but then he is also solicitous

that the ascent should be tracked with glories; no vulgar foot print must defile the haunts to be trodden by him; no rude concourse must throng his ways: the highway was made for the crowd, whilst to him, to wend round the mountains' side, and approach its brow through paces inaccessible to all, is more grateful than even the attainment of the pinnacle itself. The two objects of placing the question in a lofty situation. and himself in an imposing attitude, throughout all its stages, not being coincident or in the same line, necessarily distracts his attention. His course is rather circuitous than direct. The simultaneous meetings of the Irish Catholics originated with Mr. Sheil, and their practical effect was certainly most adequate. Yet here the transcendental spirit is apparent; the poetry of the conception, and its utility, evidently strive in his mind for masteries; at one time he compares them to "Briareus upraising his hundred hands," then again he contemplates with enthusiasm "the universal genuflection," the common cry of liberty issuing from the altars of God, and then winds up with the practical effect; "two thousand three hundred petitions signed upon two thousand three hundred altars, and rushing at the same time into the councils of the legislature, may not excite alarm, but cannot be treated with contempt."

Whatever Mr. Sheil might have done by the force of his eloquence to promote the great cause which then occupied the entire population of Ireland, it must be admitted, nevertheless, that there was about Mr. O'Connell more of the operative, more of the artizan. It was he, who hewed the stones, and cemented them together; the beauty of the architecture and sculpture might not have been his, but by whom was the structure reared? Doubtless by none but him. Its entablature, its frescoes, and its copitals, by giving an imposing grandeur to the whole, may have and must have compelled the blasphemer to venerate, when he came but to scoff and contemn, yet the rich carving and splendid imagery were, after all, little more than the non-essentials and accidents of the pile itself. They might vanish, but the edifice would still remain; whilst

the former could never exist until the latter began to be. Mr. O'Connell might be called the labourer, Mr. Sheil was the sculptor, but, in as much, as the skill of the one is useless without the energy of the other; since this is necessary, that indispensable, we must pronounce, that the first of those two celebrated men was best calculated to further Catholic emancipation, and confirm the sentence of the public, which declared that on this occasion, Mr. O'Connell's talents and general capacity were paramount.

It was on the great theatre of Catholic emancipation that the abilities of Mr. O'Connell first exhibited themselves in that wonderful light which has thrown a never fading lustre round his name; which has endeared him to his countrymen, and given him a power, greater, he himself confesses, than a subject should be allowed to have. At the same time, we cannot wilfully close our eyes to some parts of Mr. O'Connell's career in the service of his suffering countrymen, in which the natural vehemence of his nature led him into the commission of acts, and the utterance of expressions, which were censured even by those, who granted him their unequivocal support and regarded him, in general, as the only individual in whose hands the destinies of Ireland ought to be trusted. It must also be observed, that there were some individuals around him, whose total disregard of even the commonest courtesies of civilized life, was so great, as to lose sight of all decorum in their speeches wounding the living for the sins of the dead, and thereby alienating from their ranks many of the more sober and rational part of their adherents, who although they were willing to go every prudential length for the recovery of their rights, yet, were by no means disposed to lose sight of all moderation in their measures, and excite the popular hatred and indignation against the most distinguished characters of the state, not caring at the time, whether the statements had any real foundation in truth.

In corroboration of the justness of the above remarks, we will make some extracts from the speeches of Mr. O'Connell, and others of his adherents, which were delivered at Limerick

at a meeting of the Roman Catholics, in which such sentiments were uttered, as excited the utmost indignation in this country, and even injured the Catholic cause in Ireland.

"In the latter period of the present reign, (says Mr. O'Connell,) every administration has had a distinct principle upon which it was formed, which serves the historian to explain all its movements. Thus the principle of the Pitt administration was to deprive the people of all share in the government, and to vest all power and authority in the crown. In short, Pitt's views amounted to unqualified despotism, the great object he steadily pursued through his ill starred career. It is true, he encouraged commerce, but it was for the purposes of taxation, and he used taxation for the purposes of corruption. He assisted the merchants, as long as he could, to grow rich, and they lauded him. He bought the people with their own money, and they praised him. Each succeeding day brought some new inroad in the constitution, and the alarm which he excited, by reason of the bloody workings of the French revolution, enabled him to rule the land with uncontrolled sway. He has bequeathed to his successors the accumulated power of the crown, a power which is so great, as to sustain the nonentities of the present administration. The principle of Pitt's administration was despotism. The principle of Perceval's administration was peculating bigotry, bigotted peculation. In the name of the Lord, he plundered the people. Pious and enlightened statesman! he would take the money only for the good of their souls! The principle of the present administration is still more obvious. It has unequivocally disclosed itself in all their movements, It is simple and single. It consists in falsehood; falsehood is the bond and link which connects this ministry in office. Some of these pretend to be our friends; you know it is not true; they are only our worse enemies for their hypocrisy."

The foregoing passage is however mild and inoffensive, compared to the following, which was contained in a speech delivered at Dublin, within a month after the funeral of Mr. Perceval.

"But two obstacles impeded its advancement (i. e. the Catholic emancipation) which neither moral nor political causes could remove, the principles of a minister and the conscience of a king. The minister said it was resisted by his reason, the king declared it was resisted by his morality. The king was religious, the bigots were obstinate, bigotry in this, as in all other cases, adopted the pretences of religion to counteract the purposes of religion. The bigots of the day beset the monarch, they said to themselves in the language of the great poet.

> ———The oath, the oath's, the thing,
> In which we'll catch the conscience of the king.

"In this way they succeeded in convincing the sovereign that concession to the Catholics must be perjury to him. Thus the semblance of religion and the substance of bigotry united to oppose the free worship of God. Against these two uncommon obstacles, moral and political causes worked in vain; in vain would reason expostulate with bigotry, in vain would it argue with religious conscientiousness. Reason could do nothing with the one or the other, secondary causes must fail to remove such obstacles, *human* causes could not remove them—*man* could not remove them—none but GOD could remove them. God has removed them. By the two severest visitations with which man can be afflicted, by the loss of reason and the loss of life; these two impediments to your emancipation have been dislodged; *your king no longer ranks with the rational*, and the minister of that king is now numbered with the dead, as a subject and a man. I must in common with you all, sincerely deplore this two-fold affliction, but as a moralist and a christian, it may be permitted to infer, that these awful signs of the times may appear to the eye of the unborn historian, *but as the distinct evidence of a controlling providence*, that for the future, man's free worship of his Creator, is, as it were written by the hand of God, and that it now stands a record in heaven, that the time is past and never

can return, when any man, or any set of men, can presume to rebuke, by any system of social or civil vilification that great majority of the christian church, which bend the knee at the name of Jesus."

The speech from which the above paragraph was taken, has been attributed to Mr. O'Connell, we are proud to disown it, and to throw the weight of its iniquity upon those shoulders which ought to bear it. The speech was in reality spoken by Mr. Finlay who in the assassination of Mr. Perceval, and in the insanity of the king, saw what will appear to the future historian as "the finger of God," "distinct evidence of a controlling Providence removing the impediments to Catholic emancipation." This calumny was however uttered almost before Mr. Perceval was cold in his grave, while his bloody corse was yet almost before the eyes of his wretched widow, while her heart was torn with anguish, while the tears of his fatherless children yet bedewed his grave, while every feeling heart beat responsive to the widow's and the orphan's groans. Such was the time that Mr. Finlay chose to assassinate the reputation of one whom a murderous hand had consigned to an untimely grave.

To the misfortune however of Mr. O'Connell, this speech of Mr. Finlay's was published in the same pamphlet with his own speech, and as he was found in such dangerous and reprehensible company, the opportunity was greedily seized upon to visit him with the full share of the obloquy and the odium which ought to have been individually given to his companion. Still however we must not avert our eyes from the truth, that Mr. O'Connell himself dealt his blows around him at a furious rate, caring not on whose head they fell, provided the individual stood in the ranks of what he was pleased to call "the state bigots of the realm."

The following may be taken as a specimen. "There remains," says Mr. O'Connell," "another delusion; it is, the darling deception of the ministry, that which has reconciled the toleration of Lord Castlereagh with the intolerance of Lord Liverpool; it is that which has sanctified the con-

nection between both, and *the place-procuring, prayer-mumbling* Wilberforce; it consists in *sanctions* and *securities.* The Catholics may be emancipated, say the ministers in public, but they must give *securities.* By securities, say the ministers, in private to their supporting bigots, we mean nothing definitive, but something that shall certainly be inconsistent with the popish religion. Nothing shall be a security, which they can possibly concede, and we shall deceive them, and secure you; whilst we carry the air of liberality and toleration."

Again, speaking of Lord Wellesley's motion on the Catholic Question in the House of Peers, Mr. O'Connell says:— "It was lost by the petty majority of *one.* It was lost by a majority, not of those who listened to the absurd prosings of Lord Eldon, to the morbid and bigotted declamation of that English Chief Justice, whose sentiments so forcibly recall the memory of the Star Chamber, nor of those who were able to compare the vapid or violent folly of the one party, with the statesman-like sentiments, the profound arguments, the splendid eloquence of the Marquess Wellesley; not of those, who heard the reasonings of our able illustrious advocates, but by a majority of men, who acted upon preconceived opinions, or from a distance, carried into effect their bigotry, or, perhaps, worse propensities; who availed themselves of that absurd privilege of the Peerage, which enables them to decide who have not heard, which permits them to pronounce upon subjects they have not discussed, aud allows a final determination to precede argument."

Of the scope of the latter part of Mr. O'Connell's speech, there cannot be a dissentient opinion, except in the minds of those, whose interest it is to oppose all eradication of the scandalous abuses, and inconsistent privileges, which so particularly display themselves in the constitution of the House of Lords. It is a most monstrous insult upon the very principle of good and equitable legislation, that an individual, because a fortuitous freak of fortune has made him a Peer, should be allowed, whilst lolling in the lap of an Italian

beauty, like Lord H——d, or like Lord E——n, when he was stealing from the Greeks the mutilated remains of their ancient temples; or like Lord Courtenay, who was too depraved a wretch to dare to set his foot on English ground; that men, like these, should possess the privilege of deputing another to vote for him on those momentous questions, on the success of which may, perhaps, depend the safety of the country. It was this preposterous system, which nearly brought the ill-fated Caroline of Brunswick to the scaffold; for a number of the right worthy hereditary legislators, declared her, by their proxies, guilty of all the charges adduced against her, without ever having heard a single word of her trial, the gross perjury of the suborned witnesses, or the circumstances which were brought forward in confirmation of her innocence. Is it not a mockery of legislation, that the Duke of Wellington can enter the House of Lords with between five-and-twenty and thirty proxies in his pocket? some of the grantors of which are, perhaps, at Constantinople, or Canton, perfectly ignorant of, and indifferent to the reasons, which he as a minister might bring forward, whether they might be to saddle the bastards of a king upon the public purse, or to support the Autocrat of the north in the effusion of Polish blood. When the late Duke of Northumberland was asked how he came to appear in the minority on a particular question, he drily answered, *I expected to have been in the majority.* In fact, scarcely one half of the English Peers know not whether they be in the majority or minority; and can a system like this be of much longer duration? Not, if the English people will it; and if they do not will it, and that very soon, they deserve to be ridden over rough-shod by the Courtnays and the Munsters, and all the legitimates and illegitimates of our hereditary legislators.

Disposed, however, as we may be, to give Mr. O'Connell the full share of merit that is due to him for his unexampled and determined exertions in favour of the emancipation of his Catholic brethren, we cannot at the same time wholly avert

our view from some circumstances, in which, perhaps, although not the immediate instrument, yet by giving his sanction to the measures proposed, he became intimately identified with the offending parties, and consequently came in for a share of the odium, which was so liberally, and perhaps not unjustly bestowed upon them.

So long as Mr. O'Connell, and those who acted with him, confined themselves to fair and legal discussion of their grievances, no complaint whatever would have been made of the tendency of their proceedings; but not content with holding up the ministers of the Prince Regent as *desperate, profligate, and unprincipled*, they resolved to apply to a Foreign Power, to assist them in procuring a redress of their grievances, which actually laid them open to an indictment for sedition, and ultimately involved the printer of their proceedings in an expensive prosecution, which terminated in fine and imprisonment. The wording of the motion was couched with all the art and subtlety of the lawyer, just steering clear of treason, but bringing it within the limits of sedition. They asked not for foreign *aid*, but foreign *mediation*, thereby spliting the hair very finely, but still not wholly divesting it of its offensive nature. The following is the motion which has called forth the above remarks :—

" That it be an instruction to the Catholic Board to consider of the constitutional fitness and propriety of sending an earnest and pressing memorial to the Spanish Cortes, stating to them the enslaved and depressed state of their fellow Catholics in Ireland, with respect to their exclusion, on the score of their religion, from the benefits of the British Constitution, and imploring their favourable intercession with their ally, our most gracious sovereign."

This proposal which was moved by Mr. O'Gorman and seconded by Mr. Bryan, might almost excite a smile, were not its evil and mischievous tendency at once apparent. It was however carried with thunders of applause, and the latter gentleman, expecting perhaps to be appointed to the high

office of ambassador from the Catholic board, and thus have an opportunity of exhibiting himself before the Spanish Cortes, posted down to Kilkenny, and at an aggregate meeting of the Roman Catholics, put from the chair the following resolution:

"That it is a wise and manly policy to proclaim our slavery to Europe in the most distinct manner possible, and that for this purpose, the measure of applying to the Spanish Cortes for its intercession with our sovereign on our behalf, meet our most decided approbation. *If we suffer, let England at least be put to shame.*"

At this time, the Duke of Richmond was at the head of the affairs in Ireland, an individual who, to his honour be it said, carried an uncommon degree of patience and forbearance towards the malcontents of the Roman Catholics, yet who, by way of a grateful return, thus triumphed on his departure from Ireland in the following resolution.

"Resolved,—That we congratulate our fellow countrymen, of all ranks and classes, upon the approaching deliverance of Ireland from the tantalizing and intolerant administration of the Duke of Richmond. Ireland has never known so mischievous a system, and can never know a worse. May the merited odium which pursues him, warn his successors against trampling upon the sacred rights of petition, outraging the feelings of a good and gallant people, or ministering to the base acts of intrigue, intolerance, and injustice."

The law officers of the crown. as was their duty, prosecuted Mr. Magee, the proprietor of *the Dublin Evening Post*, for publishing in that paper, the libellous resolution against the Duke of Richmond, and it was on the occasion of this trial that Mr. O'Connell exhibited himself, not only to Ireland, but to all England, as one of the most eloquent orators of his day. The trial came on in the Court of King's Bench, Dublin, when Mr. O'Connell moved, in the first place, that the trial should be postponed, on account of the absence of two material witnesses, Sir Charles Saxton and Mr. Pole. The Attorney General not consenting to this, on the part of the crown, Mr. O'Connell threw up his brief, saying, that he con-

ceived it would be a mockery of justice, for his client to defend himself in the absence of his witnesses, and since the court would not give him the opportunity of setting those proceedings on the grounds he had mentioned, he never would be a party to a defence of him in this unequal contest. He therefore threw up his briefs. On consulting, however, with Mr. Magee, Mr. O'Connell shortly afterwards stated, that his client was of a different opinion from his counsel, and therefore he had instructed them to appear for him; they were bound to abide by his instructions, and therefore they resumed his defence.

We shall not follow the Attorney General through his elaborate speech on stating the case to the Jury, as the spirit of it, may be easily conjectured, being a high eulogium on the merits of the Duke of Richmond, and a corresponding censure on the proceedings of the Catholic board, and particularly of those individuals, who were instrumental to the passing of the libellous resolutions.

We shall however give the outline of Mr. O'Connell's speech, copies of which were sent to the French and Spanish Governments, and ten thousand copies were printed to be circulated at a cheap rate.

After a preface in vindication of the Catholic Board from the charges of the Attorney General, Mr. O'Connell proceeded thus:—

"I now bring you to the immediate subject of this indictment. Mr. Magee is charged with publishing a libel in his paper, called *the Dublin Evening Post.* His Lordship has decided that there is legal proof of the publication, and I would be sorry, if you thought of acquitting Mr. Magee under the pretence of not believing that evidence. I will not trouble you on that part of the case. I will tell you, gentlemen, presently, what this publication is; but suffer me first to inform you what it is not;—for this I consider to be very important to the strong, and in truth, triumphant defence, which my client has to this indictment. Gentlemen, this is not a libel on Charles Lenox, Duke of Richmond, in his

private or individual capacity. It does not interfere with the privacy of his domestic life,—it is free from any reproach upon his domestic habits or conduct,—it is perfectly pure from any attempt to traduce his personal honour or integrity;—towards the man there is not the least taint of malignity. Nay, the thing is still stronger, of Charles, Duke of Richmond, personally, and as disconnected with the Administration of public affairs, it speaks in terms of civility and even respect. It contains this passage, which I read from the indictment:—

"Had he remained what he was when he first came over, or what he afterwards professed to be, he would have retained his reputation for *honest, open hostility;* defending his political principles with firmness, perhaps with warmth; but without rancour: the supporter, and not the tool of an Administration; a mistaken politician, perhaps; but an honourable man, and a respectable soldier."

"The Duke is here in this libel, my Lord,—in this libel, gentlemen of the Jury, the Duke of Richmond is called an honourable man, and a respectable soldier! Could more flattering expressions be invented? Has the most mercenary Press that ever yet existed, the mercenary Press of this metropolis, contained, in return for all the money it has received, any praise which ought to be so pleasing?—"an honourable man and a respectable soldier?" I do, therefore, beg of you, gentlemen, as you value your honesty, to carry with you, in your distinct recollection, this fact, that whatever of evil this publication may contain, it does not involve any reproach against the Duke of Richmond, in any other than in his public and official character.

"I have, gentlemen, next to require you to take notice, that this publication is not indicted as a seditious libel; the word *seditious* is indeed used as a kind of make-weight in the introductory part of the indictment, but remark, and recollect, that this is not an indictment for sedition. It is not then for private slander, nor for any offence against the Constitution, that Mr. Magee now stands arraigned before you

In the third place, gentlemen, there is this singular feature in this case, namely; that this libel, as the prosecutor calls it, is not charged in this indictment to be false.—The indictment has this singular difference from any other I have ever seen, that the assertions of the publication are not even stated to be false. They have not had the courtesy to you, to state upon record, that these charges, such as they are, were contrary to truth. This I believe to be the first instance, in which the allegation of falsehood has been omitted. To what is this omission to be attributed? Is it, that an experiment is to be made, how much further the doctrine of the criminality of truth can be drawn? Does the prosecutor wish to make another bad precedent—or is it in contempt of any distinction between truth and falsehood, that this charge is thus framed; or does he fear that you would scruple to convict, if the indictment charged that to be false, which you all know to be true? However that may be, I will have you to remember, that you are now to pronounce upon a publication, *the truth of which is not controverted.* Attend to the case, and you will find, you are not to try Mr. Magee for sedition, which may endanger the state, or for private defamation, which may press sorely on the heart, and blast the prospects of a private family, —and that the subject matter for your decision is characterised as false, or described as untrue. Such are the circumstances which accompany this publication, on which you are to pronounce a verdict of guilt or innocence. The case is with you, —it belongs to you exclusively to decide it,—his Lordship may advise, but he cannot control your decision,—and it belongs to you alone, to say whether or not, upon the entire matter, you conceive it to be evidence of guilt, and deserving of punishment. The Statute Law gives or recognizes this your right, and, therefore, imposes this on you, as your duty. The Legislature has precluded any lawyer from being able to dictate to you. The Solicitor General cannot now venture to promulgate the slavish docrine, which he addressed to Doctor Sheridan's Jury. when he told them "not to *presume* to differ from the Court in matter of law." The law and the fact are

here the same; namely, the guilty or innocent design of the publication. Indeed, in any criminal case, the doctrine of the Solicitor-general is intolerable; I enter my solemn protest against it. The verdict which is required from a jury, in any criminal case, has nothing special in it; it is not the finding of the fact in the affirmative or negative; it is not, as in Scotland, that the charge is proved or not proved. No: the jury are to say, whether the prisoner be guilty or not; and could a juror find a true verdict, who declares a man guilty upon evidence of some act, perhaps, praiseworthy, but clearly void of evil design, or bad consequences? I do therefore deny the doctrine of the learned gentleman; it is not constitutional, and it would be frightful, if it were. No judge can dictate to a jury; no jury ought to allow itself to be dictated to. If the Solicitor-general's doctrine were established, see what oppressive consequences might result. At some future period, some man may attain the first place on the Bench, by the reputation which is so easily acquired by a certain degree of church-wardening piety, added to great gravity and maidenly decorum of manners; such a man may reach the Bench, for I am putting a mere imaginary case; he may be a man without *passions*, and *therefore* without *vices;* he may, my Lord, be a man superfluously *rich*, and *therefore*, not to be *bribed* with *money*, but rendered *partial* by his *bigotry*, and *corrupted* by his *prejudices;* such a man, *inflated* by flattery and bloated in his dignity, may, hereafter, use that character for sanctity, which has served to promote him, as a sword to hew down the struggling liberties of his country; such a judge may interfere before trial, and at the trial be a partizan. Gentlemen, should an honest jury—could an honest jury, (if an honest jury were again found), listen, with safety, to the dictates of such a judge? I repeat it, therefore, that the Solicitor-general, is mistaken,—that the law does not and cannot, require such submission as he preached; and at all events, gentlemen. it cannot be controverted, that, in the present instance, that of an alleged libel, the decision of all, law and fact, belong to you. I am, then, warranted in di-

recting to you, some observations on the law of libel, and in doing so, I disclaim any apology for the consumption of the time necessary for my purpose. Gentlemen, my intention is to lay before you a short and rapid view of the causes, which have introduced into courts the monstrous assertion—*that truth is a crime!*

"It is to be deeply lamented, that the art of printing was unknown at the earlier periods of our history. If, at the time the barons wrung the simple but sublime charter of liberty from a timid perfidious sovereign, from a violator of his word, from a man covered with disgrace, and sunk in infamy; if, at the times when that charter was confirmed and renewed, the press had existed, it would, I think, have been the first care of those friends of freedom, to have established a principle of liberty for it to rest upon, which might resist every future assault. Their simple and unsophisticated understandings could never be brought to comprehend the legal subtleties, by which it is now argued, that falsehood is useful and innocent; and truth, the emanation and the type of heaven, a crime; they would have cut with their swords the cobweb links of sophistry in which truth is entangled; and they would have rendered it impossible to re-establish this injustice, without violating a principle of the constitution. But, in the ignorance of the blessings of a free press, they could not have provided for its security; there remains, however, an expression of their sentiments on our statute books. The ancient parliament did pass a law against the spreaders of *false* rumours. This law proves two things; first, that, before this statute, it was not considered a crime in law, to spread even a false rumour, otherwise the statute would have been unnecessary; and, secondly, that, in their notion of crime, falsehood was a necessary ingredient. But here I have to remark upon and to regret the strange propensity of Judges to construe the law in favour of tyranny, and against liberty; for servile and corrupt Judges soon decided, that, upon the construction of this law, it was immaterial whether the rumours were true or false; and that a law, made to punish false rumours, was equally

applicable to the true. This, gentlemen, is called *construction;* it is just that which, in more recent times, and of inevitable consequence, from purer motives, has converted "pretence" into "purpose."

"When the art of printing was invented, its value to every sufferer—its terror to every oppressor, were soon obvious; and soon were means adopted to prevent its salutary effects—the Star Chamber, the odious Star Chamber, was either created or at least enlarged, and brought into activity. Its proceedings were arbitrary—its decisions were oppressive, and injustice and tyranny were formed into system. To describe it to you in one sentence, *it was a permanently packed Jury.*—Perhaps that description does not shock you much. Let me report one of its decisions, which will, I think, make its horrors more sensible to you; it is a ludicrous as well as a melancholy instance: a tradesman—a ruffian, I presume, he was styled—in an altercation with a nobleman's servant, called the swan, which was worn on the servant's arm for a badge, a goose. For this offence—the calling a nobleman's badge, a swan, a goose, he was brought before the Star Chamber; he was, of course, convicted; he lost, as I recollect, one of his ears on the pillory—was sentenced to two years imprisonment, and a fine of £500; and all this to teach him to distinguish swans from geese. I now ask you, to what is it you tradesmen and merchants are indebted for the safety and respect you can enjoy in society? What is it which has rescued you from the slavery in which persons engaged in trade were held by the iron barons of former days? I will tell you, it is the light, the reason and the liberty, which have been created, and will, in despite of every opposition, be perpetuated by the exertions of the press.

"Gentlemen, the Star Chamber was particularly vigilant over the infant struggles of the Press. A code of laws became necessary to govern this new enemy to prejudice and oppression—the Press. The Star Chamber adopted for this purpose, the civil law, as it is called—the law of Rome—not

ner law at the periods of her liberty and her glory—but the law which was promulgated when she fell into slavery and disgrace, and recognized this principle, that the will of the Prince was the rule of the law. The civil law was adopted by the Star Chamber, as its guide in proceedings against, and in frustrating libellers; but, unfortunately, only part of it was adopted, and that of course was the part least favourable to freedom. So much of the civil law as assisted to discover the concealed libeller, and to punish him when discovered, was carefully selected; but the civil law allowed truth to be a defence, and that part was as carefully rejected.

"The Star Chamber was soon after abolished. It was suppressed by the hatred and vengeance of an outraged people, and it has since, and until our days, lived only in the recollection of abhorrence and contempt. But we have fallen upon bad days and evil times; and in our days, we have seen a lawyer, long of the prostrate and degraded Bar of England, presume to suggest a high eulogium on the Star Chamber, and regret its downfall; and he has done this in a book dedicated, by permission, to Lord Ellenborough. This is, perhaps, an ominous circumstance, and as Star Chamber punishments have revived, as two years of imprisonment have become familiar, I know not how soon the useless lumber even of well-selected Juries, may be abolished, and a new Star Chamber created.

"From the Star Chamber, Gentlemen, the prevention and punishment of libels descended to the courts of common law; and with the power they seem to have inherited much of the spirit of that tribunal. Servility at the Bar, and profligacy on the Bench, have not been wanting to aid every construction unfavourable to freedom, and at length it is taken as granted and clear law—that truth or falsehood are quite immaterial circumstances, constituting no part of either guilt or innocence.

"I would wish to examine this revolting doctrine, and in

doing so, I am proud to tell you that it has no other foundation than in the oft repeated assertions of lawyers and judges. Its authority depends on what are technically called the *dicta* of judges and writers, and not upon solemn or regular adjudications on the point. One servile lawyer has repeated this doctrine from time to time, after another, and one overbearing judge has re-echoed the assertion of a time-serving predecessor, and the public have at length submitted.

"I do therefore feel not only gratified but bound to express my opinion upon the real law of this subject. I know that opinion is but of little weight—I have not professional rank or station, or talents, to give it importance, but it is an honest and conscientious opinion, and it is this—that in the discussion of public subjects, and of the administration of public men, TRUTH is a duty and not a crime.

"You can, at least understand my description of the liberty of the Press. That of the Attorney-general is as unintelligible as contradictory. He tells you, in a very odd and quaint phrase, that the liberty of the Press consists in there being no previous restraint upon the tongue or the pen. How any *previous* restraint could be imposed on the tongue, it is for this wisest of men to tell you; unless, indeed, he resorts to Dr. Lad's prescription with respect to the tooth-ache—eradication; neither can the absence of previous restraint constitute a free Press, unless, indeed, it shall be distinctly ascertained, and clearly defined, what shall be subsequently called a crime. If the crime of libel be undefined, or uncertain, or capricious, then, instead of the absence of restraint, before publication, being an advantage, it is an injury; instead of its being a blessing, it is a curse; it is nothing more than a pitfal and snare for the unwary. This liberty of the Press is only an opportunity and a temptation offered by the law to the commission of crime; it is a trap laid to catch men for punishment it is not the liberty of discussing truth, or discountenancing oppression, but a mode of rearing up victims for prosecution, and of seducing men into imprisonment. Yet,

can any gentleman concerned for the crown, give me a definition of the crime of libel? Is it not uncertain and undefined; and, in truth, is it not, at this moment, quite subject to the caprice and whim of the judge and of the jury? Is the Attorney-general—is the Solicitor-general disposed to say otherwise? If he do, he must contradict his own doctrine, and adopt mine. But no, gentlemen, they must leave you in uncertainty and doubt, and ask you to give a verdict, on your oath, without furnishing you with any rational materials to judge whether you be right or wrong. Indeed, to such a wild extent of caprice has Lord Ellenborough carried the doctrine of crime in libel, that he appears to have gravely ruled, that it was a crime to call one Lord, "a stout built special pleader," although in point of fact, that Lord was stout built, and had been very many years a special pleader. And that it was a crime to call another Lord "a sheep-feeder from Cambridgeshire." although that Lord was right glad to have a few sheep in that county. These are the extravagant vagaries of the crown lawyers and prerogative judges; you will find it impossible to discover any rational rule for your conduct, and can never rest upon any satisfactory view of the subject unless you are pleased to adopt my description. Reason and justice equally recognize it, and believe me, that genuine law is much more closely connected with justice and reason, than some persons will avow."

A great part of the remainder of the speech of Mr. O'Connell, being personal, intermixed with no little share of rancorous abuse; we, for very obvious reasons, desist from transcribing it, nor do we believe that the latitude which he allowed himself, when dilating upon private character, contributed much to the advantage of his client, who was without the least hesitation on the part of the jury found guilty; and the sentence was pronounced upon him, that he should pay a fine of £500, to be imprisoned for two years in Newgate, and further until security be given, himself in £1000, and two others in £500 each, for his peaceable behaviour for seven years.

About this time we find Mr. O'Connell engaged in an affair of honour with a Mr. Magrath, originating in consequence of a misunderstanding and a warm altercation, at the county court, in Limerick. The manner in which this affair went off was most extraordinary, exposing the parties to the imputation of there being more bluster and gasconade in it, than an actual desire to avenge their insulted honour. The parties met at a place in the vicinity of Limerick, known by the name of the Old Windmill; Mr. O'Connell was attended by Mr. O'Gorman, and Mr. Magrath by Mr. Bennett. The ground was measured, and the hostile parties placed upon it. A number of gentlemen now interfered, (for it appears at this time to have been the fashion amongst the Irish duellists to be attended by a crowd of spectators), and after much conversation, Mr. O'Gorman consented that the business should be adjusted, on Mr. Magrath's declaring from his ground, *with a loaded pistol in his hand*, that he lamented what had passed, and was sorry for it. Here another party, in the person of Mr. Leader, interfered; requesting, that as Mr. O'Connell was well known to entertain no enmity to Mr. Magrath, he should say on coming to the ground, *that he was about to fight a man against whom he entertained no enmity.* This proposal created some pause; but Mr. O'Gorman, on the earnest interference of mutual friends, assented. Both gentlemen then came on their ground *with loaded pistols in their hands*, and having complied with the above terms, immediately advanced, *amidst the loudest acclamations* of all persons present, and shook hands. They then stepped into the same carriage, and returned together.

Thus is this momentous affair described in the *Limerick Advertiser;* and should any playwright require the materials for a bloodless duel, or for the manner in which duellists can extricate themselves by the interference of a number of friends who may be collected there for the express purpose, no better guide can be adopted than the account which we have just chosen. There would be also something original in the circumstances of the hostile parties meeting each other

amidst the loudest acclamations of the bystanders, and afterwards driving off together in the same carriage.

Not so fortunate, however, was Mr. John O'Connell, the brother of Mr. Daniel O'Connell, who at this time fought a duel with Mr. Blennerhasset; for, as actual fighting was there intended, the seconds would not reconcile the parties after the first fire, and on the second, Mr. O'Connell was seriously and dangerously wounded in the face, the ball passing through his cheek and tongue, and lodging in the hinder arteries. The wound, however, did not prove mortal.

Objectionable, as it may be, to fill our pages with official documents, to the exclusion of more valuable historical matter, we cannot still refrain from the insertion of the following Petition to the British Parliament, as presented to the Catholic Board, by Mr. O'Connell, to whom the composition of it was generally, and we believe, not untruly attributed. For strength of language, for force of argument, for the justness of its appeal, for the beauty and elegance of its diction, it will be difficult to find its parallel in ancient or modern history. It ran as follows:—

"We, the Roman Catholic people of Ireland, again approach the Legislature with a statement of the grievances, under which we labour, and of which we most respectfully, but at the same time, most firmly, solicit the effectual redress. Our wrongs are so tortuous and so numerous, that their minute detail is quite unnecessary, and would, indeed, be impossible, were it deemed expedient. Ages of persecution, on the one hand, and of patience on the other, sufficiently attest our sufferings and submission. Privations have been answered only by petitions; indignities by remonstrances; injuries by forgiveness. It has been a misfortune to suffer for the sake of our religion; but it has been also a pride to have borne the best testimony of our doctrine, by the meekness of our endurance.

"We have sustained the power which spurned us; we have nerved the arm which smote us; we have lavished our strength, our talent, and our treasures, and buoyed in the

prodigal effusion of our young blood, the triumphant ark of British liberty.

"We approach then with confidence an enlightened legislature. In the name of nature, we ask our rights as men. In the name of the constitution, we ask our privileges as subjects. In the name of God, we ask the sacred protection of unpersecuted piety, as Christians.

"Are securities required? we offer them, the best securities a throne can have, the affections of a people. We offer faith, that was never violated; hearts, that never were corrupted; valour, that never crouched; every hour of peril has proved our allegiance; and every field of success exhibits its example.

"We abjure all temporal authority, except that of our sovereign. We acknowledge no civil pre-eminence, save that of our constitution; and for our lavish and voluntary expenditure, we ask only a reciprocity of benefits.

"Separating as we do our civil rights from our spiritual duties, we humbly desire that they may not be confounded. We render unto Cæsar, the things that are Cæsar's, but we must also render unto God, the things that are God's. Our church could not descend to claim a church authority, nor could we ask for it, a state aggrandisement. Its hopes, its powers, and its pretensions are of another world, and when we raise our hands most humbly to the state, our prayers are not that the fetters may be tranferred to the hands that are raised for us to heaven. We would not erect a splendid shrine, even to liberty, on the ruins of the temple.

"In behalf then, of five millions of a brave and loyal people, we call upon the legislature, to annihilate the odious bondage, which bows the mental, the physical, and moral energies of Ireland; and in the name of that gospel which breathes charity to all, we seek freedom of conscience for the inhabitants of the British empire.

"May it therefore please their Honourable House &c."

This petition was definitely adopted, and Mr. O'Connell

subsequently moved, that in the preparation of any bill for Irish Catholic emancipation, it might not be confided to an English barrister, who knew nothing of itself, its laws, or its inhabitants. It might be objected, that there was a want of respect to the legislature in this mode of proceeding, but he denied that such was the fact. Persons who apply, for road bills, trade bills, &c., uniformly come with the bills prepared, and surely it would not be said that the emancipation of the Catholics of Ireland was a matter of less importance, than a sugar regulation, or a new road. One most material objection to the late bill, was, the increase it gave to that influence, which was already so much overcharged, as to occasion regret to every lover of constitutional liberty. He meant the influence of the crown. He thought it necessary to throw out this much, in order to guard against misrepresentation.

It was on account of the great expence attending the presentation of the Catholic petitions, that Mr. O'Connell proposed his celebrated plan of parochial subscriptions, which subjected him of course, to the coarse and malignant attacks of his enemies, who saw in the collecting of a large sum of money, a repetition of the scenes, which had been enacted by the United Irishmen during the rebellion of 1798, for as they had collected large sums of money for the purpose of providing themselves with arms and ammunition, it followed of course, in the opinion of the alarmists, that the money which Mr. O'Connell proposed to raise by parochial subscription, had not, nor could have any other tendency, than to purchase arms for the people, and thereby carry into effect, the traitorous designs, which the Catholic leaders secretly entertained against the government of the country.

Mr. O'Connell's plan of parochial subscription, was as follows :—

"To appoint a person in each parish, to make individual application to every householder.

This person shall take with him, to each village or farm, a list of the householders, and should apply to each of them, to

know whether he was willing to contribute TENPENCE, or any higher sum, towards defraying the expences of the CATHOLIC PETITION.

Each person paying, should be marked down as paid, and the same inserted in the margin.

Each person refusing should have the words, "*refused to contribute tenpence,*" added to his name.

And a second application should be made to those, who refuse, with an intimation *that the list would be read at the chapel on the ensuing Sunday.*

The list should be read at the chapel, as soon as it was ascertained that no more could be collected.

The more wealthy persons will of course contribute more than tenpence, but no sum should be received from any person, save what he can afford to give with the most perfect convenience.

The following circular letter from Mr. O'Connell, to the Roman Catholic clergy was to be appended to the copies of the plan.

SIR,

I am directed by the committee of accounts, to send you the above plan, and to request your attention to it. It will not be easy to carry this plan into effect without the countenance of the Catholic clergy. But it is presumed from their constant attention to the interests of their countrymen, that they will give this plan the support of their advice, It is also expected that you should transmit to the board an account of the parishes of the county in which you reside, in which this plan shall be carried into effect.

You cannot do a greater service to the Catholic cause, than by exerting yourself on this occasion, as the funds of the board are quite exhausted, and it will be impossible to transmit our petition to Parliament, unless subscriptions are collected.

The mode of carrying this plan into effect, is of course,

left with you, but it is hoped that you will not refuse to give your zealous and active assistance.

I have the honour to be,
Your very obedient humble servant,
DANIEL O'CONNELL.

That this plan of Mr. O'Connell was open to great objections must be evident to the meanest capacity, for although it bore on the face of it, a *voluntary* subscription, yet it was, in its spirit, a compulsory kind of taxation. To say, that if a man refuse to contribute his tenpence, his name was to be affixed to the church door, as a kind of defaulter, obviated at once all idea of the subscription being voluntary, for on refusal, the individual becomes, directly, a marked character; he would fall, immediately, under the censure of his priest, an event, more feared and dreaded by the low Catholic householders, than any other calamity that could befall them. The spirit of coercion is visible throughout the whole plan; the register of the defaulter's name, with the inscription attached to it, "Refused to contribute tenpence," savours of any thing, but of the individual being left to act according to his own free will; and then, after another application, that his name was to be read aloud in the chapel, on the ensuing Sunday, ever attaching to the "refusal to contribute," such an odious stigma, that few individuals could be found, who had nerve to undergo the penance. Thus the sum that could be collected, was immense. Taking the Catholic population of Ireland at five millions, and allowing four persons to every house, which, considering the fecundity of the Irish peasantry, is taking it at a low average, the number of subscribing householders would amount to one million two hundred and fifty thousand; and when it is further considered, that many of the Roman Catholic families are very wealthy, and that a large portion of the landed property is in their hands, it is rational to suppose, that their subscriptions would not be confined to tenpence; in the circular, tenpence was the minimum, but to the maximum,

no limit whatever was placed. Taking, however, the average contribution so low as two shillings and sixpence, it will be found on calculating, that no less a sum than one hundred and fifty six thousand two hundred and fifty pounds, would be immediately raised;—pretty tolerable sum, I guess, (as Jonathan would say,) to support the presentation of the Catholic petitions, which, allowing the parliament to sit six months, or twenty four weeks, and a petition to be presented every week, would admit of £6510 to be expended on each petition.

It may be easily conjectured, that this tenpenny subscription of Mr. O'Connell, did not escape the vigilance of his enemies, or of the opponents of the cause, which he so strenuously advocated. In their opinion, the subscription was set on foot, for the express purpose of filling the coffers of Mr. O'Connell; and many there were, who actually believed such to be the case. Little reflection, however, would have taught them, that the appropriation of any part of the funds on the part of Mr. O'Connell, was next to an impossibility; nevertheless, it was made a handle of by the Protestant party, to throw upon Mr. O'Connell, heaps of odium and obloquy, which, however, failed in its effect of alienating from him a single friend, or injuring him in the opinion of those with whom he was in the habit of co-operating.

That Mr. O'Connell, however, had not at this time that paramount influence in the Catholic meetings which afterwards became his lot, may be adduced, from the strong and successful opposition which was made to one of his motions at the Catholic Board, the import of which was, to throw the sanction of all the measures which were to be adopted in either House of Parliament respecting Catholic emancipation, on the Catholic prelates. The speech which Mr. O'Connell made on this occasion was one of surpassing eloquence, but he found, in Dr. Doromgole, an opponent, who was very little inferior to himself in oratorical powers, and, undoubtedly, his superior in calm and deliberate argumentation. To follow Mr. O'Connell throughout the whole of his speech, would be trespassing upon our limits; and, therefore, we shall confine

ourselves to the heads of it, At the same time, it is not unworthy of remark, that the skill and adroitness of Mr. O'Connell, in assigning a cause for the failure of his motion, different from the real one, were never more apparent than on this occasion.

After an eloquent preface, in which Mr. O'Connell painted, in the most glaring colours, the dissentions that had crept into the Catholic body, and the necessity that was imposed upon every friend to the general cause, to put an end to them, he stated, that his intention was, by the motion which he was now about to make, to put new arguments in the mouths of the friends of emancipation, and to disarm the hostility of its enemies. He did not mean to inculcate the doctrine of securities, or even to introduce a discussion on the subject. The one he thought would be frittering away, in collateral considerations, the great question of Catholic liberty; and on this point, for once in his life, he agreed with Lord Castlereagh; and the other would be an insult on the fidelity of the Irish people; a sacrifice to the views of the minions of a hostile administration. He had no solicitude for the fate of his motion, *if he was understood.* His sole object was, to obviate a discussion in the Commons, about arrangements, which could never tranquillize the minds of the people of Ireland, and which may give rise to much dissatisfaction, by directing its members to refer to the proper authority, for information, before they decided upon any provision. His object was, in fact, to smoothen the way for a final settlement of all differences: to put the legislature and the prelacy on a footing of understanding, that would obviate all misapprehension, provide against all dissatisfaction, and make the Act of Emancipation, at once, gracious and just, equitable and tranquillizing. With such motives, he would hardly think, that he could meet with opposition; it could arise from no source but distrust in the wisdom and integrity of the Catholic hierarchy; he therefore moved:—

"That having taken into consideration, the general statements of the Catholics of Ireland, and also the parliamentary

proceedings of the last session, we are of opinion, that no specific measures, for regulating the ecclesiastical discipline of the Catholic church in Ireland, ought to be proposed to the legislature, on the part of the Catholic body, or advocated in either House, without being previously sanctioned by the Catholic prelates of Ireland."

The motion being seconded by Mr. Roche, Dr. Dromgole observed, that he gave the proposition of the learned gentleman, every possible attention, and that his impressions were decidedly hostile to it. He thought it a most pernicious proposition, and that the sentiments of the country were totally inimical to it. Instead of producing concord, as the learned gentleman seemed to anticipate, he was convinced it would be the parent of much discord. He was astonished, that it could be sustained on the score of its rejection, implying a want of confidence in our hierarchy. It would do no such thing; and if it did, were the Catholic people of Ireland to be told, that they should implicitly obey the dictates of their bishops, whether right or wrong; were they to be told this, in a period when they are slandered for their slavishness to their opinions; were they to be told this by a gentleman, whose passed life has proved that he does not think them infallible. But how could the learned gentleman recommend his motion on the score of its being productive of concord. He was, a few weeks since, loudest and most vehement in his invectives against proposers of securities, or arrangements of any kind; he was thanked by numerous counties; resolutions and plaudits have almost overwhelmed him; and does he now turn round upon the country and proclaim, that he was mistaken, and they were a set of blockheads. He was astonished, that the learned gentleman should have so lost himself. The parliament was no tribunal for the Catholic bishops to appear before, and make a confession of their faith The country demanded, not of them, the sacrifice which the learned gentleman proposed. He thought, that, if any resolution was to be passed, it should not be the learned gentleman's, but

one of putting an eternal extinguisher on all questions of arrangement. The country wanted no political power,—no eligibility to the station of King's council, or state physician, —it wanted religious freedom; and if that could not be procured without a surrender of the Catholic faith, why, let it never be granted.

Mr. O'Gorman said, that if it were not for the seriousness of his learned friend who had proposed the motion under consideration, he could not be persuaded, that he did not urge it merely for the purpose of eliciting from the learned doctor, the very splendid reply which had just been delivered. It was so opposite to the entire tenour of his conduct for the last five years,—in such complete hostility with all his sentiments, in private and public,—with all his plans and arrangements, that he could not account for it, unless by attributing it to the suggestion of a jocose moment, or a fancy for giving a stimulus to the eloquence with which the meeting had been just favoured.

Mr. O'Connell—" If this be a jest, I have only to say, that it is the dullest one I ever made."

Mr. O'Gorman proceeded at much length, to shew that the motion was virtually a security proposition, and indulged in some animated animadversions on the conduct of the English Catholics, in which he was called to order by the venerated Chairman, who thought that, at best, it was irrelevant to indulge in any invective, against a very respectable portion of our fellow-subjects, who have as good a right to the expression of free and unfettered opinion as any other portion of the community.

Mr. Finn said, that his Learned Friend had professed himself the advocate of unanimity, but he was sorry to say, that the resolution then before the Board was but calculated to produce discord. He was satisfied that the sense of the Catholic Board was against the resolution; and he confessed he was a little surprised at the introduction of it—at its principle—when he remembered, that upon a former, and no very distant occasion, his Learned Friend had himself enumerated

two particular and important instances (namely 1641 and 1799), wherein the laity had differed (and with justice) from the clergy. The obvious tendency of Mr. O'Connell's resolution, Mr. Finn contended, was to pledge the Catholics to securities, or arrangements of some kind or other; and could it be forgotten by those he was addressing—by any man at all acquainted with the part his Learned Friend had taken in Catholic affairs, that he had been heretofore the bold and unqualified opponent of concessions of any description? Was it not well known, that any man who dared to breathe a sentence in favour of them was looked upon as the enemy of his country? Could the Board be insensible to the sentiments expressed by the Learned Gentleman himself in the country, and in those rooms? He was sure they would shew that they had a due recollection of all those circumstances, by discountenancing the present resolution.

Mr. O'Connell was sorry to find himself at length despaired of by the State Physician—(*a laugh*). Like many other patients, however, he was disposed to think, that there was not so much danger as the Learned Doctor seemed to apprehend The fact was the symptoms had been mistaken. His resolution, he protested, had been grossly misunderstood, and misconstrued. If it were not so, he was not acquainted with the meaning of the English language, and so strong was this impression upon his mind, that if he were in error, it would require a powerful drug indeed to purge off the cloud which hung over his intellect—(*laughter*). He was charged with advocating the Veto, by the introduction of this resolution, but he was satisfied that a little dispassionate consideration would be quite sufficient to shew, it would have no possible tendency of the kind sought to be ascribed to it. His sentiments on the Veto question—sentiments which were so well known, ought to have guarded him from any insinuation of that kind. The object and intention of his resolution was to relieve the Prelates from the possibility of being surprised by the demand of arrangements which they could not approve—and to ensure to them that *nothing* in any manner connected

with the Church should be sanctioned by the Parliamentary advocates of Emancipation, which had not previously met the concurrence of the Clergy. It appeared, however, that Gentlemen did not understand his resolution, although he had endeavoured to frame it, so as to avoid the possibility of misconception, and he was therefore content to withdraw it simply upon the ground of its *having been misunderstood.* He would be sorry to proceed to a division—he was certain there would be no division had there not been misconception—and this being the case, he intreated of the Gentleman who had seconded his motion, that he would permit him to withdraw it.

Mr. Roche consented to the withdrawal of the motion, protesting at the same time that he was of the same opinion as Mr. O'Connell, namely, that the resolution had been misunderstood.

The motion was accordingly withdrawn.

The forensic talents of Mr: O'Connell were now again to be called into action, in the defence of Mr. Magee, who was indicted on the part of the Crown, for the publication of the Kilkenny resolutions, of which mention has already been made, respecting an appeal to the Spanish Cortes, on behalf of the Roman Catholics.

On the 19th of November, the Attorney-General, in the Court of King's Bench, prayed that Mr. Magee might be put to plead to an indictment found against him by the Grand jury, for publishing a libel, in the form of resolutions of the Catholics of Kilkenny.

Mr. O'Connell said, that Mr. Magee was ready to put in a plea of Not Guilty, and *traverse in prox* for next term.

The Attorney-General could not consent to the proceeding. *Traverse in prox*, was a vulgar expression, and he really did not see how it could be introduced upon the plea. It was equivalent to pleading Not Guilty, but to be tried next term. Besides, it was his intention to pray the Court to fix a day in the next week for the trial.

Mr. O'Connell said, that a prisoner charged only with a misdemeanour, had a right to make the plea he had offered;

and that, under the circumstances of the present case, it would be quite impossible for the traverser to be ready for his trial in so short a period. The indictment was of great length, and contained not less than eleven counts, charging the commission of the crime imputed with various intents—matters alleged to have been transacted in a different part of the kingdom were introduced, and he trusted the Court would see the necessity of allowing Mr. Magee time to prepare his defence.

Judge Day thought that as the term was so far advanced, and much business still in arrear, the Attorney-General would perhaps be satisfied to have this trial take place in the next term.

The Attorney-General declared he would be happy to adopt any suggestion which the Learned Judge was pleased to offer, but in the present instance, he felt it was essential to the ends of justice that the trial should be had before the ending of this term. The crime imputed was the publication of a libel in the city of Dublin, and whatever the defence should be, he thought there was a sufficiency of time to prepare it. If the traverser were entitled to time, as a matter of right, he should have it of course, for he (the Attorney-General) always gave way to right; but if such right do not exist, (and he was not aware that it did exist) he should respectfully insist upon his right of having a day appointed in the next week.

Mr. O'Connell relied upon the discretion of the court to grant the time required.

Judge Day—This is the King's Court, and as his Majesty's Attorney General thinks proper to press for the appointment of a day in the present term, we can not refuse him, unless you shew us that you have a right to have the trial postponed.

Mr. O'Connell now mentioned two cases, one which had occurred at the assizes for Monaghan, and the other at Tralee. He also cited the fourth volume of Blackstone, 374—5, upon Criminal Law, where it was laid down, that persons charged with *felony*, may be immediately tried, but those who are

accused of *smaller misdemeanours* may put off their trials until the next assizes or sessions.

Judge Day said, that without insinuating the slightest opinion as to the truth of the charge against the prisoner, here he must declare, that it could not by any means be considered a small misdemeanour. His Lordship hoped that Mr. Magee might be fully able to shew he was innocent, but the crime charged was one far from being of a trivial nature.

Mr. O'Connell contended that the law recognizes no distinction between felony and misdemeanour; every felony was of necessity a misdemeanour: it was only in common parlance that we called lesser crimes misdemeanours, for the purpose of contradistinguishing them from felonies, but the authority recognized no such technical distinction. The very authority he had cited, bore him out in this assertion, for it made use of the phrase "*smaller* misdemeanours," without having used the term misdemeanour at all before, having mentioned only felony.

Mr. Perrin cited the great *Anglesea* case in support of Mr. O'Connell's argument.

The Court were of opinion, that the authorities did not apply to cases in the King's Bench.

Mr. Magee then pleaded *Not Guilty*.

The Attorney-General moved, that Wednesday next be fixed for the trial.

On that day, Mr. O'Connell wished before the jury should be called, to submit to the Court, that the defendant was entitled as a matter of right to *traverse in prox*, that is, to put off the trial until next term. The Attorney-General had denied that the traverser had this right in point of law. The question, however, had been merely *stirred*, not argued and decided upon, on the former occasion; and Mr. O'Connell now formally applied upon the part of the defendant, to *traverse in prox* for the next term. An apology might, perhaps, be due to the Court, for not having been prepared to cite the authorities, when he had mentioned this on a former day; though,

perhaps the advocate might be excused, when it was remembered that the Court itself did not appear to have had the practice of the Court, as regulated by common law, before it. True it was, the Attorney-General had attempted to reply to what had been offered by them (the defendant's counsel), on that occasion; but if his (Mr. O'Connell's) recollection did not mislead him, Mr. Attorney-General's reply had been confined to an assertion, that the phrase *traverse in prox*, was a vulgarism, calculated to shock polite ears. It was a vulgarism, however, which had crept into Acts of Parliament, Statutes of the Realm; and Mr. O'Connell was prepared to shew, that if the Court did not recognize the right of the prisoner here to use it; if they should compel him to go immediately here to trial, they would act contrary to the declared law, and to the uniform practice of the Court of King's Bench, from the most ancient times, except in the instance of the seven bishops, and the other bad precedents established in the unfortunate reign of James II. Precedents which had been declared illegal, and rectified at the very commencement of the reign of William III.; and precedents established at a period when every cause that came before the corrupt judges of that day, was decided against the subject. He did not expect to succeed, unless he could prove to demonstration, that the privilege he claimed for his client, was his undoubted right according to the law of the land, as recorded in the Statutes of the Realm, and with the bad exceptions he had before alluded to, in cases of decided authority.

Mr. O'Connell now cited a variety of authorities, and argued upon them with his wonted ability. The Court seemed to think Mr. O'Connell's authorities decisive, and the trial was then ordered to stand over until the first Monday in the ensuing term.

CHAPTER V.

A new sphere of action now opened upon Mr. O'Connell, and that was the association of a number of Irish, under the significant title of Ribbonmen, whose avowed aim was, direct and open hostility to Protestant ascendancy; raising the flames of discord and anarchy throughout the country. In the north of Ireland, the Ribbon Association diffused itself in a most rapid and wonderful manner. It commenced in the local disturbance at Faunet, a district in the county of Donegall. A violent conflict occurred in this district, between the Orangemen and Catholics; lives were lost on both sides; seven Catholics were capitally indicted, at Lifford, the assize town of the county; the Judge was, Sir Michael Smyth; the Counsel, Messrs. Smigly, Rolleston, and Macklin, The Judge charged the Jury strongly and powerfully, for the Catholics; no Catholic, of course, was on the Jury; every one of the seven was found guilty. A point of law was made in favor of the prisoners, by Mr. Macklin. The Judge felt it to be his duty to make a strong representation to government in favour of the prisoners, and he saved the lives of the seven Catholics. The associations of Ribbonmen commenced immediately after, in the city of Derry; its avowed object was defensive; it spread rapidly in a few weeks, through the counties of Donegall and Derry; in a few months it had extended from Derry to Belfast, on the one side, and Monaghan, on the other, ninety new lodges were associated; it was spreading rapidly through Ulster; three meetings of the delegates from lodges, had been held in the city of Derry; they consisted of Catholics exclusively; they appeared by their conduct and association to be impressed with the opinion, that the Catholics were not suffi-

ciently protected by the law, against the outrages of the Ulster Orangemen; they were sworn to defend each other, if attacked; they were sworn to give no provocation, and for that purpose, notwithstanding the cheapness of liquors in this part of the country, they were mutually pledged, by their association, to strict sobriety, no man to drink more than two tumblers of punch, in the twenty four hours. They had their chairman and secretaries, and regular nights of meeting, and books, resolutions, &c. &c.; and in a few weeks more, all the Catholics of Ulster would have been associated.

At this momentous crisis Mr. O'Connell came forth as the guardian genius of Ireland; by his powerful influence, the associations were dispelled; and a serious lesson was taught to the Orange associations, which had sprung up a stupendous fabric, formed of the materials of bigotry and intolerance. A little smoke on the side of mount Vesuvius is sufficient to alarm the inhabitants of Portici, and the Irish Orangeman thought himself exposed to certain destruction, the moment he heard a murmur of toleration, liberty, and, above all, of revolution. At these dreadful words, though pronounced by chance, his frame became agitated, his countenance disturbed, the Cumberlands, the Kenyons, the Fairmans, and eke their worthy chaplain, Sir Robert Peat,* were seized with Saint Vitus's Dance, and the disorder of their whole persons, betrayed the secret of their weakness. The following will fully corroborate the above statement.

It happened, that the Duc D. Montebello, one of Buonaparte's generals, assisted at the Catholic meeting of Ballinasloe. Flattered at having a peer of France, the witness of their energetic reclamations to the legislature, the Catholics of Connaught honoured him with a vote of thanks, to which

* Of some of these Orangemen, we shall have occasion to speak more at large, in a subsequent part of this work. In the mean time, we would ask, whether Colonel Fairman, the secretary, and Sir Robert Peat, the chaplain, be the same Colonel Fairman, and the same Sir Robert Peat, who, under rather peculiar circumstances, cut such conspicuous figures in the King's Bench prison.

he replied, by the expression of every wish for the success of their cause. This might be a circumstance of almost daily occurrence in England. In Ireland, however, the case was different; simple as it was, it was instantly converted into a matter of state. The Catholics rejoiced at it, as at an object of the first importance, and the government was sufficiently weak to evince indications of alarm. More than one meeting of the privy council was held in Dublin, to deliberate on the dangers which might be apprehended by their party. Protestant meetings took place, where the speeches held forth in great detail, on treason, imprisonment, and even on the scaffold. In the interval, the hireling Press, was not backward; one denounced to the public execration, "the son of one of the chiefs of that sanguinary horde, whom France, in the days of her atheism, vomited forth upon the rest of Europe;" another converted him into the emissary of the Jesuits at Rome; and another, calling for the peremptory execution of the Alien Bill, forgetting that its provisions had long since expired. The grave "Connor" discovered in the speech of the Duc de Montebello, the cloven foot of foreign invasion, and the *John Bull*, with a delicacy, peculiarly aristocratic, reproached him with not having a rental of £8000 a year, thus calling in the aid of one prejudice against another. All, in fine, dreamt that Ireland was in flames; and *the Times* itself, the wise and sagacious *Times*, the vile, vacillating, venal, and vituperating *Times*, sent His Grace of Montebello, to conspire with Mr. O'Connell, against the Protestant religion, and the House of Hanover. In the midst of this powerful empire of Great Britain, were already exhibited all those paltry little fears, all those miserable suspicions, all those disgraceful agonies of apprehension, which are worthy only of the Lombard-Austrian government, a just punishment of intolerance and persecution.

Yet, after all, what was this extraordinary speech, at once jesuitical and seditious, diplomatic and incendiary, which shook to its centre the British empire, and forced to tremble on its base, the glorious, pious, and immortal statue

of the great and good King William? As it is very concise and short, but pithy and energetic, we will give a translation of it.

"Were I an Irishman, I should endeavour to render myself deserving of the honour which you have just conferred upon me, by making every exertion in my power for the support and advancement of your cause. But, stranger as I am, what can I offer beyond the simple expression of my most ardent wishes for your welfare and deliverance. It is a consoling thing to meet with men, amongst whom the words of justice and toleration are not yet become mere empty sounds. Of such men there are many in France. And, how is it possible we should be insensible to your sufferings; we, who only delivered a few years from our bondage, have not yet forgotten the period, when we yet struggled for our delivery. We have at last conquered our civil and religious liberties; we have conquered them by that *glorious Revolution*, so little understood by those, whose eyes are only open to its excesses, and though Catholics for the greater part, if, to-morrow Protestantism were attacked in any of its rights or privileges, to-morrow also we would rise up against the encroachments of Catholicism, with the same spirit and energy with which you rise up to-day against those of the established church. Permit me, then, to wish you, in the name of liberal France, a speedy and total emancipation. By perseverance in your present efforts, you cannot fail to obtain it, and I cannot suppose that the admirable Constitution of England, will for ever, allow itself to be dishonoured by the political helotism of six millions of subjects."

Such was the speech, and such sentiments contain nothing but what is noble and generous. Had they been expressed in the north of England, they would have been passed over as perfectly harmless; the *Courier* would have held its tongue, the *Times* would have passed upon them its eulogium; but the moment that Ireland is in question, some of the English lose their heads. Even when it became the subject of conversation amongst the more enlightened, they always speak of

it with the pride of a conqueror, in the *naivete* and frankness of a master, who goes back to the times of the Henrys and the Cromwells. In their eyes, the claims in question are not rights, but boons and favours. They are high and puissant Lords, feudal *Suzerains*, who graciously condescend to emancipate their serfs. It was really amusing at this time, to witness the tone of lofty indignation, with which the English exclaimed against whatever had the appearance of demand. "Pray," cry they, "beg, but do not threaten." See with what courtesy we treat the addresses of your brethren in England. It is true, indeed, that no portion of these petitions has yet been granted; whilst your insurrections, (for so the Irish meetings were called in England,) appear to have procured for you some important rights, but, if our gracious condescension has singled you out as the especial objects of our favour, during the war in America, and the French revolution, and your own rebellion, be assured, that chance, mere chance, was the cause of this remarkable coincidence.

There was another circumstance, at this time, which considerably affected the influence of Mr. O'Connell, and subjected him to an opposition from the members of the Catholic board, which it required all his talent and dexterity to overcome, and to prevent the exhibition taking place of his actual defeat. The most experienced general, the most wily tactician, are sometimes overreached, even by individuals of comparatively secondary talent; an internal consciousness of strength frequently begets an overweening confidence, and by a too extravagant reliance on it, a discomfiture often ensues, where undisputed success was anticipated. It was the policy of Mr. O'Connell, to have conciliated the Roman Catholics of England, and not by any avowed act, to offer them a studied insult. It may be true, that they did not concur in all the measures adopted by the members of the Catholic Board in Ireland, but still, after all, that opposition was merely founded on a difference of opinion; their aim was the same, and,

therefore, all the difference that existed, was the means that were to be adopted by which that aim could be accomplished. In the vote of thanks, therefore, which Mr. O'Connell moved to Dr. Milner, if the ostensible object had not been to insult the English Roman Catholics, and disoblige some of the leaders of the parliamentary friends of emancipation, the proposition of Mr. O'Connell would not have had to encounter even the colour of opposition. Introduce, said every rational man to Mr. O'Connell, the Right Reverend gentleman in his apostolic, his private, or his public character, considered as unconnected with any party to whom he may be opposed, and you may canonize him, if you be competent, but you certainly shall not, without our hostility and reprehension, make use of any man's name, for the mere purpose of setting the English and Irish Catholics at variance. or proving to some of our best supporters, that the Board of Ireland are anxious to adopt any measure, but that of conciliation. This proposition was candid and honourable, but it diverted not the party from their purpose. They proposed a vote of thanks in the Board, and there was an adjournment. A day was fixed for the discussion of the question, and one hundred and five members, the greater part of them country gentlemen, who came to town for the purpose of attending on this peculiar occasion, were present. Mr. O'Connell clearly saw that the majority were hostile to his proposition, and then, for the first time since the institution of the Board, did it hear a man recommending an adjournment; because, in the first place, there was a great meeting assembled, and, in the second place, every gentleman appeared to have been quite prepared to give a decided vote. "What I see here to day, (said Mr. O'Connell,) makes me wish to defer this question for three weeks; it suggests to me, that there is some necessity for further

consideration, and perhaps a mode of obviating all dissension may be adopted."

The meeting well understanding the proposal to be a mere artifice to avoid a certain defeat, and, probably, to secure a triumph, when there would be a thin assembly, would not listen to an adjournment. "Well then, said Mr. O'Connell, with considerable dexterity, if you do not permit me to adjourn for three weeks, you must allow me to withdraw my motion for three weeks, as that proceeding is, at all events, competent to me. I perceive, (continued Mr. O'Connell,) a spirit against my proposition, which justifies me availing myself of the privilege." There was no resisting the ingenuity of the contrivance; and the hundred and five members were instantly dismissed. And what was the consequence? Did Mr, O'Connell think their united opinions worthy of the sacrifice of one favourite measure?—No. Did he even adopt the promised modification in his resolution?—No. Did he ever afterwards bring forward the question at the Board?—No, And what did he do? The period, of which we are speaking, was the twelfth of June; the aggregate meeting was held in Fishamble-street, on the fifteenth, and to this tribunal did he refer his resolution, that required three weeks serious deliberation. At this Court his appeal was not made in vain, for, though it is very probable, that the hundred and five members, whom he found inexorable, and unbending, three days before, or at least a good part of them, yet they took very good care not to utter a word in opposition to the resolution; in short, it was carried with acclamations; and thus did he carry his point, against the reluctant Boardmen. Mr. Grattan laid down the union of the Irish with the English Catholics as one of the conditions alone, on which the people of Ireland could hope to succeed. The hundred and five Boardmen, who assembled from all parts of Ireland, on the twelfth

of June, were of the same opinion. Mr. O'Connell, however, thought differently; and, of course, by the aid of an aggregate meeting, outweighed all opposition. Indeed, so well pleased were the Catholics of Ireland, with the general conduct and the talents displayed by Mr. O'Connell, in his management of the great cause which was entrusted to him, that they made him a present of a piece of plate, of the value of one thousand guineas.

It is a task, pleasing and exhilarating to follow Mr. O'Connell through the various and truly eloquent speeches which he made, as the leading member of the Catholic Board, for they may be considered as the stepping stones of his future greatness, and the pedestal on which that fame was erected, which will ever stand conspicuous in the annals of Irish history, and in the successful emancipation of his Catholic countrymen. On few occasions, however, did his eloquence burst forth with greater effect than on the occasion, when he called the attention of the Board to the letters of Lord Donoughmore and Mr, Grattan; the former of which had given great offence, and which ended in his secession from the post of leader of the Catholic cause in the House of Peers.

In the mean time, the Ribbonmen continued to increase in numbers and Mr. O'Connell evidently saw that unless a stop could be put to their proceedings, the whole Catholic cause would be endangered, as an association such as that which was formed by the Ribbonmen would be willingly seized upon by a hostile government to convert them into acts of treason and rebellion, he therefore determined to put a stop to them. A few days after, at the meeting of the Board, which was held at the Shakespeare Gallery, Exchequer-street—

Mr. O'Connell rose to make his motion, of which notice had been for some time lying upon the books. The subject was one that he believed would occasion no difference of opinion; but it was, nevertheless, matter of grave importance, as it arose from the formation of an organized system of opposition, extending throughout the country, and which might

eventually ruin the peace of Ireland. The present Lord Sidmouth, when he was Mr. Addington, had remarked in his place in Parliament, that there was no country upon earth which had been so unfortunate as Ireland, from the landing of Henry the Second until the Union! Whether she had been made happier since the latter event, would not, perhaps, be very difficult to decide; but for this much, at least, there was the authority of Mr. Addington, that during the long and melancholy period of six hundred years previous to it, there was not upon the earth so unhappy a country. And perfectly well was Mr. Addington justified in making the observation, for, "the history of Ireland is but the story of misfortune!" In such a state of things the unfortunate people of this country had at different times formed various associations under the several names of Hearts of Oak, Peep-o'-day Boys, White Boys, United Irishmen, &c. Exclusive, however, of the United Irishmen, whose final views were republican, these different associations had no object, as against the Government of the country, in their contemplation. They might be divided into two classes; one was to be traced to the state of society in Ireland; to the mode in which the possessors of landed property, either treated their wretched tenants, or suffered them to be treated; the other to religious differences. This latter class had originated in the north, under the title of Peep-o-'day Boys. With regard to the first class, the Board could do nothing; yet would they find it difficult to banish from their minds the hardships to which the tenants upon the estates of great proprietors (chiefly absentees too), were exposed; and the power which the legislature had bestowed in the act of replevin, and the act of ejectment, whereby the great landlord may turn out his poor tenant, after having ruined him. Those evils, oppressive and destructive as they were, would never be removed but by a resident legislature, which he (Mr. O'Connell) was daily more convinced of the necessity for having. With regard to the second class, they had originally associated under the name of Peep-o'-day Boys. for the purpose of disarming the Catholics. They commenced

in the county of Armagh, and a combination to resist them was formed under the title of Defenders. The associations were at this time (1791, &c.) composed almost entirely of the lower orders of the people, with the exception, perhaps, of a very few individuals, who had entered their societies for the purpose of attempting to dispel the bigotry that so strongly marked them. At a subsequent period (1795), an action took place between the hostile associations, when the Peep-o'-day Boys having gained the victory, changed their title to that of Orangemen, in order to signalize their success. They now began to assume the forms of Masonry, to assemble in lodges, &c. But, except in some few forms, that they bore no resemblance to Masonry was ascertained by dear-bought experience. The principles of Masonry were those of benevolence, unbounded charity, universal philanthropy; the sum of the principles of Orangemen, was extermination. He (Mr. O'Connell) was himself a member of the former body, and from his knowledge of its principles, took upon him to say that they were the very reverse of those of Orangemen. After the assumption of their new designation, they commenced a most horrible crusade against the Catholic weavers of Armagh, and so high did their enormities arise, that Lord Gosford was compelled to call the magistrates of the county together, for the purpose of putting an end to the outrages of this banditti, whose avowed object was "to destroy the properties and exterminate the persons" of the Catholics. Their phrase was, "to Hell, or Connaught," but even this was subsequently altered to, "to Hell," Connaught itself being too good for the Papists. These societies had been formed with admirable skill and arrangement. They were combined together by the strictest obligations to secrecy. An officer of militia, whom the Learned Gentleman had met at Wexford, informed him of the manner in which an Orangeman was initiated.

After prayers, the Bible was opened, and the seventh chapter of the Book of Judges, laid before the new comer, who was taught to "lap water,"—then was girded on the "sword of Gideon and the Lord." He was finally given to

understand, that he had been fortunate, to obtain a place among the three hundred chosen men, who were selected by the Lord, to overcome the thirty two thousand Midianites, who, of course, were the Catholics; and really there appeared to be a good deal of plausible trick in this; for we read, in the sacred story, that the principle means, whereby Gideon and his three hundred followers were to succeed, was, by artfully dividing the Midianites from each other; and it is well known, that the only hope of success which the Orangemen could entertain of ever arriving at their darling end, the extermination of the Catholics, was from the dissensions of the Catholics themselves! From the year 1798, an amelioration took place in the nature of the Orange Societies. Some very respectable persons became Orangemen, about that time, and persons, whom he was satisfied, would never lend themselves to a system of extermination, however their unhappy prejudices might induce them to lend themselves to a system of exclusion. In the year 1800, the book, which the learned gentleman held in his hand, had been printed by a Mr. M'Kenzie, now of Merrion-row, but not published. It contained various matters respecting the Association, and had prefixed to its title page, a paltry engraving of the statue in College-green, in a dress possibly selected by the taste of Mr. M'Kenzie himself. Why this book of strange farragoes, had not been published, could only be conjectured. Possibly, as the country became more tranquil, it was believed, that little benefit could arise to the Orangemen, from its appearance abroad. For the country, after suffering the horrid tortures she had been compelled to endure in those melancholy times, he had just glanced at, did begin to assume a degree of tranquillity, and was far advanced in that state until the year 1809, when the Richmond administration proceeded to countenance the revival of the Orange system, by every means, from the decoration of the statue in College-green, to the encouragement of the Derry Orangemen. The outrages committed upon the unoffending Catholics, drove them into a counter-associ-

ation, termed Ribbonmen. This commenced in Donegal; and so closely did these deluded men imitate their implacable opponents, that they had organized, in an incredibly short time, not less than ninety one lodges affiliated. Their Grand Ribbon Lodge was at Derry. At first, they took the oath of allegiance, and an oath of brotherhood, over a green emblem, to protect themselves and their clergy from the attacks of the Orangemen. But, as all associations of this kind, are dangerous to a government, they, shortly afterwards, added to the oath of allegiance, a condition, that they would be loyal, so long as the government protected them from schismatics, heretics, and infidels; and, as they proceeded, left out the oath of allegiance altogether; and, if there was at that moment (when he was speaking) a Ribbon Lodge in Ireland, that oath was put out, and they were sworn only to defend each other against all outrages. He had great pleasure, indeed, in stating, that he believed, the address of the Board, published last June, had torn up the system by its roots. The person from whom the learned gentleman had received such precise information, had strongly recommended the expediency of another address, as the effects of the former had been so salutary, and as the Orangemen were all known to use every means to tempt these poor people into acts of violence, sensible, that while they should, themselves, escape punishment, their unfortunate victims were doomed to meet the utmost rigour of the law. It was to caution the people against taking their defence into their own hands, and to assure them, that their wrongs should, at least, meet a legal investigation, that were the chief objects of the proposed address.

Mr. O'Connell now mentioned the different Acts of Parliament, which so expressly declare *all* secret associations and badges illegal; and alluded to the late Orange triumphs which were held during three whole days at Derry, and which he said, should yet be examined by the test of the law. He had heard, that the authors of the forged signatures

to the Anti-Catholic petition, had contemplated a three days *Orange Boven* in this city, but afterwards, durst not attempt it; for here is a *Whitworth*, who could not permit a wanton outrage in his very presence. The dread of united Irishmen was passed over; the fury of republicanism was now extinguished in Europe, by the transformation of Holland into a monarchy, (to gratify the wishes of the people, to be sure, as we are told), and why should other distinctions be still permitted to embroil the people of these countries? The learned gentleman, (after some other observations), moved that a committee of seven, be appointed to prepare an address to the people.—Carried unanimously.

At the meeting of the Catholic Board, Feb. 5, 1814, Mr. O'Connell read the following Address to the People:—

"*Fellow-countrymen and Fellow-sufferers,*

"The General Board of the Catholics of Ireland, to whom you have confided your Petitions to the Legislature, once more address you. They claim the continuance of your confidence only, because they feel that they deserve it, by the zeal and purity of their intentions and exertions in the cause of your Religion and Country.

"Fellow-countrymen—The object of your petitions is sanctioned by justice—it is enforced by wisdom; it must be attained, unless the artifices of your enemies shall triumph over justice and wisdom; we say their artifices, because their arguments have failed; and their calumnies are forgotten, or despised.

"Among their artifices we dread but one; it is that which has been already practised with success on former occasions, it is one to which you are exposed by your situation, your sufferings and your feelings; your enemies wish to betray you into illegal Associations and Combinations; they wish to bring upon you punishment, aggravated by its being merited, and they still more earnestly desire to ruin your cause, and that of Ireland.

"The emissaries of your enemies become more cautious by

detections, are likely to assume a deeper disguise. It is our duty to expose to you the evils which must ensue to yourselves and to the Catholic cause, if you enter into any illegal or Secret Combination or Association.

" Repeated Acts of Parliament have pronounced Associations for almost any imaginable purpose, to be illegal. A recent Statute, called the 50th of the King, chapter 102, besides more Associations, which are plainly criminal, as for seditious purposes, or to disturb the public peace, has declared every Association, Brotherhood, Committee, Society or Brotherhood whatsoever, to be unlawful, if formed to injure any person, or the property of any person; or to compel any person to do, or omit, or refuse to do any act whatsoever. That Statute has declared any oath or engagement to be illegal, which imports to bind any person to obey the rules, or orders, or commands of any committee, or body of men not lawfully constituted; or of any captain, leader, or commander, not appointed by the King; or binding any persons to assemble at the command of any such captain, leader, commander, or committee; or of any person not having lawful authority; or binding any person not to inform or give evidence, or not to reveal or discover having taken an illegal oath, or having done any illegal act; or to conceal any illegal oath thereafter to be taken.

" For inducing or procuring by any means, the taking of any such oath, or engagement, the punishment is transportation for life; he who takes any such oath is liable to transportation for seven years; and it will not be received as an excuse, that the party has been compelled by force or menace to take such oaths, unless he makes full discovery to a magistrate, within seven days.

" By another Act of Parliament, called the 15th and 16th of the King, chapter 21, it is made a high misdemeanour, punishable by pillory or whipping, to wear any particular badge or dress, or to assume any particular name or denomination of party.

" Recollect too, we intreat of you, that not only it is unlaw-

ful and punishable to assume the name, or wear the colours or badge of any such Association, or to take or induce any person to enter into any engagement, or oath to belong thereto, but that almost every act, in pursuance of such oath or engagement, is made by various Statutes, felony of death. Even to assault a dwelling-house (strangely as the phrase may sound), is a capital felony in Ireland. And to raise the arm, even without a blow, or further violence, is an assault in law. So that he, who in pursuance of the plans of any such Association, raises his unarmed hand against a dwelling-house, may for that offence, be capitally convicted, and suffer death.

" We select this instance to shew you the extent to which capital punishments are applicable by law, to the consequences of illegal Associations.

" Transportation for seven years is the doom of him who enters into any illegal Association. Transportation for life is visited upon him who induces another to enter into an illegal Association; and finally, death is the punishment of him who does any one act, in pursuance of the design of an illegal Association.

" Such, Fellow-countrymen, are the punishments which the law denounces against illegal Associations, whether they be called White Boys, or Right Boys; Thrashers, or Carders; Ribbonmen, or Orangemen; they are all liable to punishment, and all deserve condemnation.

" It is quite true, that some delinquents may escape; but do not flatter yourselves that you can be of the fortunate number; if you transgress the law, you will meet, as you will deserve, all the zeal and activity of prosecution.

" Reflect upon those serious subjects for your consideration. If you offend against the laws, what favour can you expect—what favour have you any ground for expecting?

" Reflect also upon the inutility of those Associations. What utility, what advantage has even been derived from them? None whatsoever. No redress has ever been obtained by their means. They have been quite useless—nay, worse, for

they have always produced crimes—robbery, outrage, and murder; and they have uniformly been followed by numerous executions, in which the innocent have often been taken for, and confounded with the guilty.

"Do you require any other arguments to induce you to restrain from those Associations? Perhaps you are careless of your own lives—you cannot be insensible to the blood of the innocent.

"There is, however, another inducement to refrain—you enemies, the men who would deny you the poor privileges of worshipping your God as your forefathers have worshipped; these men, all these men, anxiously desire that you should form criminal combinations and confederations; they want but a pretext for framing laws still stronger and more sanguinary; they want but a pretext to lay the heavy hand of power upon your country and religion. Your enemies seek to seduce or to drive you into illegal Associations. Your friends, the Catholic Board, ardently desire to prevent your forming any Association. They conjure you, if you confide in them, to hearken to advice, which can be dictated only by their affectionate attachment to you. They conjure you to respect the laws—to live in peace—to offer no outrage or injury to any man—to seek legal redress alone for every injury and outrage inflicted on you. 'That redress is, and shall be within your reach.' They beseech you to look for relief from your grievances, only through the lawful channel of petitioning Parliament. And they confidentially promise you, that the wisdom of Parliament will speedily extend that belief, if you continue, by peaceable and dutiful conduct to deserve it—to gratify your friends, and disappoint your enemies.

"So will you afford us the happiness of seeing your Religion rescued from the calumnies and inflictions of centuries of persecution, and your countrymen, of all classes and persuasions, reconciled, coherent, and finally free."

This powerful address was no sooner circulated amongst that particular class, which chiefly formed the association of the Ribbonmen, than like the frost work of an April morning

it dissolved away, and in that very act, it held out a powerful example to the counter association, namely, the Orangemen, to do the like; but the direct contrary was the case. With the dissolution of the Ribbonmen Association, that of the Orangemen appeared to increase, until it finally obtained a gigantic power, which extended itself through every part of the empire.

With pride, however, could Mr. O'Connell look upon the work which he had accomplished; by his all-potent influence, he had annihilated an Association, which had it been allowed to exist, would have actually endangered the emancipation of the Catholics, and placed in the hands of its opponents, one of the most powerful instruments of attack, which the peculiar circumstances of the times could have afforded.

From these scenes, however, of deep historical interest, we turn to those of a lighter nature, and which are contained in a Tour which Mr. O'Connell made to the north of Ireland, his descriptions of which contain so much graphic humour, and such inimitable touches of the Irish character, as are scarcely to be met with in any other traveller. We have good reason to believe, that the journey of Mr. O'Connell was principally undertaken to make himself more intimately acquainted with the state of his native country, as regarded the political, moral, and religious condition of the natives, which could not be properly, nor accurately ascertained, by the mere parole evidence of others. On this occasion Mr. O'Connell was accompanied by a particular friend, and they travelled in the most simple and unostentatious manner; sometimes as pedestrians, and sometimes in the inside or on the outside of a vehicle, whether it was a lumbering stage coach, or a jaunting car, determined at the same time to penetrate into all the highways and byways, in which the slightest information could be obtained.

Their course was directed to the north of Ireland, passing through Newry, Drogheda, Dundalk, &c. in a kind of crazy old coach, in which the chances were decidedly in favour of the assistance of a surgeon being required, to replace some dislocated bone which had jumped out of its socket, by the

knocks and thumps, which the body, ever and anon, received from the ruggedness of the road. Mr. O'Connell shall however, tell his adventures in his own peculiar style, not doubting that it will afford ample merriment and amusement to our readers.

"A man," says Mr. O'Connell, "who travels in Ireland, should, above all things, arm himself with good humour. He must reconcile himself, during the day, to manners more plain and familiar, than refined or considerate; nor can he always escape from them at night. At Newry we stopped at an inn, called the White Cross, kept by a woman of the name of Mackintosh, called by a barbarous corruption, *Tosh*. The good opinion of Mrs. Tosh's accommodation must have been general, as the house was crowded with company; the consequence of which was, that every thing was in confusion, which our impatience did not lessen. Dinner, however, was at length served. The bill was six shillings, including malt liquor, and six shillings for a bottle of wine. From the satisfaction expressed in the countenances of some gentlemen who were drinking punch, at hearing us complain of its badness, it was suspected that they considered us as coxcombs for having ordered it; but when I cast my eyes on the group of beggars that surrounded the windows, and considering how happy the shillings thrown away on this execrable liquor would have made them, I confess I was of the same opinion.

"It is well to escape the disagreeables in the day-time, but it is horrible to endure them at night. In the inns there are generally two beds in aroom, by way of distinction, however or as the French would have it, *par excellence*, we were shewn into a room where there were four; and I, as it might be supposed as a special favour, was put into a press one. I had lain down about an hour, my friend had fallen fast asleep, when our two colleagues, who were to sleep in the beds with blue check furniture, came in whistling and singing. Whiskey sometimes makes men musical, and always makes them noisy. My said colleagues continued conversing a long time after they had lain down. I kept quiet, though many of their speeches were

directed towards me. 'Our friend in the press-bed,' at length, said one of them, 'is strangely silent.' At one in the morning, and in bed, silence is not so extraordinary (said I), perceiving that the drunken young gentlemen, like the sober old English law, were determined to press me to speak. These thoughtless young fellows, as effectually murdered sleep, as a guilty conscience would have done. To judge, however, of the Irish character by what we see at inns, is both unfair and illiberal. The people most frequently met with at them, are young men just escaped from controul, who think noise and impudence, proofs of courage and knowledge of life. The greatest and most valuable part of the community live at home, and are seen to most advantage in their own houses. It is there I like to see them, and though sometimes I may have experienced slight inconveniences, rarely was I ever in a private house that I did not feel myself at home.

"Newry is but indifferently situated, being almost surrounded by rocks and mountains. It owes its rise to Sir Nicholas Bagnal, Knight-Marshal of Ireland, in the reign of Edward the Sixth. It has been burned down, first, by the Rebellion in 1641, and afterwards by the Duke of Berwick, on his retreat to Dundalk from the English, who, on their approach, found it in flames.

"It contains about 15,900 inhabitants, of whom one half I should suppose were Protestants. A rigid observance of Sunday, has always been a feature of the Presbyterian religion, and perhaps it is a great reason why it has made so little progress. A very good reason, I must confess I think it is; people who labour six days in the week, may, I think, without a crime, be merry on a Sunday.* I viewed, therefore, with feelings very different from those of my friend, the festive scene which it had presented, when we came near to Dundalk. The fields were swarming with people, men, women, and

* We recommend this opinion of Mr. O'Connell to the Agnews and Poulters of the present day. The Creator of man rejoices in seeing his creatures in mirth and cheerfulness, neither of which has any thing in relation with a Presbyterian Sabbath.

children, running, wrestling, throwing long bullets, and dancing. The latter was fully as violent an exercise as any of the others, and consisted in a constant and violent agitation of the limbs and body. I stopped upwards of half an hour looking on, and was at length reluctantly drawn away. I was detained only by the animation of the scene, and its expression of happiness, for the music was no better than the dancing. But what harmony equals, or alas! is so rare, as that of happy human faces?

"The instrument was the bag-pipes. It has always been a favourite of the vulgar. Pan, the meanest and the most vulgar of the ancient deities, is often represented playing on it, and Nero, whose taste was as vulgar, as his dispositions were corrupt, (vulgar taste and corrupt dispositions, indeed, generally go together) was no mean performer on it. It was the music of the Irish kerns, in the time of Edward the third, and is still the Irish festive music. They probably got it from the Scotch, but they improved upon it.

"We arrived between three or four o'clock at the house where we were to dine. The instant I saw the owner, I knew he had been a long time in France. He was dressed in a faded purple coat, white small clothes, and waistcoat, and his head was powdered still whiter than they. His accents, gestures, and manners were equally foreign, and altogether gave him the exact appearance of an ancient Frenchman. He was a Catholic, and it was believed had been educated for a priest. His family consisted of his wife and three fine lively girls, his daughters.

"A plentiful collation was served for us, for dinner was to be at a no less fashionable hour than six. Fashionable hours may do well in cities, but they are sadly misplaced in woods and wilds. I did not however regret them on this particular occasion. The young ladies, when they learned who I was insisted upon introducing me to some of their neighbours, and it was hardly possible to have a more delightful walk, or more delightful companions; they laughed, chatted, sung, and jumped over hedge and ditch with the activity of wood nymphs. We

went into several poor people's houses, and to every one they met they had something kind to say, or something gracious to do. A mutual sympathy unites the Catholic gentry and commonalty into an intercourse, as familiar and affectionate, as that of the Protestant gentry and commonalty is distant and indifferent.

"Our conversation was mostly in French, though unlike the father, the daughters spoke with an English accent.

"You prefer French to English," said I, "to the elder."

"Sans doute," she replied.

"May I ask why," I enquired.

"Parceque," said she, "c'est le langage de l'amour."

"She had no idea of the obvious interpretation of these words. She simply meant it was the language of kindness and affection. And she had reason to say it was so; while others admire the light graces of this beautiful language, to me its great charm is its overflowing tenderness. Innumerable instances might be given. I take two at random. How cold seem in our mouths the expressions of father, daughter, mother, brother, compared to the sweetly affectionate ones of *mon pere*, *ma fille*, *mon frere*, *ma mere*, and unfeeling would be the heart which did not vibrate in unison with the soft and dulcet sounds in the lips of a French woman, of *Je vous aime*.

"The young people retired to the drawing room to dance. I was amongst the lookers on, probably the only grave looking one of them all. Like *Jessica* I am never merry, when I hear sweet music, and sweet was the simple melody, which was then playing. In the liveliest Irish air, as has been well remarked, there is a lurking shade of melancholy, a faithful picture of the Irish character, of which though the border is lightsome, the ground is gloom.

"One of the fair companions of my morning's walk, came running after me and taking me familiarly by the arm, exclaimed, 'Que vous avez l'air triste et morne. Venez,' continued she, endeavouring to draw me to the dance, 'venez et jouissez.'

"A priest, who had been detained from dinner, came in at

a late hour in the evening. The company flocked round him with more of joy than of reverence, and more of affection than of either. I approached him likewise, for being a Catholic, I love an Irish Catholic priest. I regard him as the moss grown column of a fallen edifice, which was the admiration of past ages, sublime in solitude, and venerable in decay. I love him for what he is, as well as for what he was. Never should it be forgotten, that it was one of this calumniated order of men, who, when all his own subjects had deserted him, attended the French king to his execution, and while he was besprinkled with his blood, exclaimed in the holy enthusiasm of religion."

"*Enfant de Saint Louis, montez au Ciel.*"

"The present one was a tall and elderly man, pale, thoughtful and bent forward, in faded 'splendour wan.' He was the melancholy representative of the body to which he belonged. He conversed with me familiarly and frankly, though he was often obliged to stop to bestow his blessing.

"Benedicte Domini, said or rather sung the sweet young women, as they came running down from the dance with their hands joined, and a pretty reverence composed of a bow and a courtesy.

"*Salus, honor, virtus, quoque*
"*Sit et benedictio.*"

replied the priest in the same tone, as he laid his hands on the heads of his innocent suppliants, who gay, and happy, flew back to their dancing. How delightful was this mixture of gaiety and religion, of devotion and cheerfulness how suited to the female character, whose weakness is its strength; whose fragility is its grace, whose volatility is its happiness, and whose attribute is its tenderness of heart."

"How delightful too is the Catholic religion, solemn in music, fragrant in incense, splendid in decorations, graceful in ornament, the beads, the scapular and cross; it may be said like the pagan religion of old to deify life, and to reflect only in its fair bosom, the beneficent author of creation, while the

gloomy spirit of Calvanism, like a stern enchantress waves her wand over the bright landscape of the imagination, and gives in its stead, the dark cavern of a ferocious tyrant."

"I was always an early riser, and before breakfast on the following morning, I had walked eight miles. I entered into conversation with a group, who were travelling my road. On being informed that I was lately from Dublin, they were desirous to have my opinion of the Catholic bill, as they called it, that was expected to be brought forward next session of Parliament.

"With the view of allaying the fermentation, which I knew was existing in the minds of the people, I said, Never mind acts of Parliament, my lads, but live peaceably with your neighbours, I warrant you, your fields will look as green, and your hedges smell as sweet this time next year, whether the bill pass or not.

"May be so, said one of them, and may be, we would not be long here to smell or look at them.

"The object of my journey was recreation for myself and conciliation to the people, and I therefore combatted their opinions, though perhaps not accompanied with conviction. Ah! *reverend* sir, said a middle aged man, you speak like a good man, and a great scholar, but Lord bless ye, books won't make us know life.

"Tell me," said I, "why you take me for a clergyman, is it because I wear a black coat?"

"No" returned he, "but because you have a *moderate* face."

"The lower class of people of Ireland are great physiognomists, good ones I am bound to suppose, for my face has often received the above moderate compliment. It speaks favourably, however, of the manner of the Irish Protestant clergy, that a man of mild demeanour, is almost always taken for one of them.

"The following day we proceeded to Bambridge, and the weather being fine, and the sun shining brightly, we walked

merrily forward. At every furlong's length, we met with a cross road, luckily however, the people were as plenty as the roads, but not a *cross* answer was given by any of them. We were overtaken by a young Scotchman on horseback. He had travelled a hundred miles in Scotland, and upwards of a hundred in Ireland, to purchase cattle, and was now returning homewards. He civilly invited me to mount his horse, and without giving me time to reply, alighted to help me on.

"It is fitter I should be walking," said he, "than you."

"I do not know," said I, "that a good face is always a letter of recommendation, I have ever found that a good coat is." I asked him, what he thought of Ireland.

"It is a *heaven* of a place," he replied, "but they're the *devil* of a people."

"I examined him as to this latter opinion, and found he had every where met with kindness and attention. He had heard it from his father, who probably had heard it from his; and in this manner are the characters of nations and individuals judged."

"We soon afterwards parted with our Scotch acquaintance, and proceeded to Daisy Bank. The virtuous owner of the house had died about a week before. He was the Presbyterian minister of the parish, and died universally lamented, as he had lived respected and beloved. The family were in the utmost affliction. I consented without reluctance to spend the day with them, for truly it is said, "It is better to go to the house of mourning, than to the house of feasting," for that is the end of all men, and the living will lay it to his heart.

"I amused myself the greater part of the evening with looking over the books in the library. They were mostly treatises on divinity, and reviews. A Presbyterian clergyman has not the means of procuring many books to make himself,in any degree acquainted with what is passing in literature, he therefore must have recourse to reviews. How imperfectly they acquaint him, it is almost needless to say. How necessarily imperfect, perhaps; for such is the particular irritability of an

author's nature, that he is rarely to be trusted, nor should he scarcely ever trust himself in giving an opinion of another.

"On one of the shelves was a parcel of Dublin newspapers, mouldy, and in some places moth-eaten, published in the years 1796 and 1797. They were a series of a well known print called the Press, and seemed to be full as revolutionary as some publications of the present day. I looked over a few of them, and was as much gratified with the talent they displayed, as I lamented its misapplication. For lamentably is even talent misapplied when it breaks with sacrilegious hand, the sanctuary of established order, and profanes with unhallowed touch, the holy and mystic tie, which unites the different members of a state into one great and peaceful family.

"In every country and under every government, a few will revel in luxury, a few will work with their minds, and the many (the happy many would they think so) must work with their hands. And, notwithstanding all the bustle and disturbance that have been made about modes and forms of government, there is hardly any truth more incontrovertible than that they have worked in almost all countries, in nearly equal security. Luckily for mankind, Providence has not trusted their happiness to statesmen or speculatists. The great business of life goes on under despotic as well as under free governments, corn grows in Thrace as well as in Middlesex, and the vintager of the Rhine or the Moselle, gathers his grapes as quietly as the man of Kent does his hops. It is not indeed necessary to be deeply conversant in human affairs to know that mankind have ever suffered more in one year by their endeavours to get rid of what they were taught to consider the evils of their situation, than they would have done in a century by the evils themselves.

"In the papers I have been looking over, the grand evil of Ireland, the root and source of every other is said to be her connexion with England, which is therefore attacked in every form, serious, jocular, angry, by argument, ridicule or expostulation. Whether the doctrine of separation was ever

very acceptable in Dublin, when these papers were published I do not know, but I do know, that it was never palatable in the north. The people here amidst the wildest frenzy of revolution, still clung to their ancient attachments, and while they listened with cold and reluctant ear to the advantages to be gained by a separation from England, they became animated and exhilirated, when they were told, that they were not to run alone the glorious race of republicanism, but that their English and Scotch brethren were as ready as themselves.

"I took the trouble to copy the following ingenious piece of levity, to shew how Proteus-like, the Press assumed all shapes, and adapted itself to all degrees of rank and of comprehension:—

"PATRICK O'BLUNDER TO JOHN BULL, ESQ.

"*Squire Bull,*

"I received your letter, which did not surprise me; it is of a piece with the rest of your conduct towards me; you eat up my meat, you drink up my drink; I do my best to entertain you and your train, and a hungry and a devouring set I find them. Nothing in my house is too good for you and yours; I am almost beggared with the expense, and what is the return? You loll out your tongue, turn up your nose, and make wry faces at me; nay, I am told that you have been known, when I had taken an extraordinary glass of whiskey, to spit in my face, and pick my pockets. You think proper at times to call me cousin; the devil take such *cozeners*, as Shakespeare says. When you want to carry any point, then it is *Cousin Paddy;* you know I have a sincere regard for you; our interests are the same; all I do is for your good, your money is just as safe in my pocket as in your own; all things should be in common between loving friends, and then Patrick O'Blunder is a honest lad, a generous fellow; he values money no more than the dust of his shoes, and he is always ready to fight up to his knees in blood, for the honour of his relations.

"Many a fair pound of my money have you cajoled and wheedled out of me, with fair speeches, to carry on your law-

suits ; when you got your turn served, the worst word in your cheek was too good for me, and Patrick O'Blunder was a fool, and a fortune-hunter, a blunderer, and a bog-trotter. The meanest of your beggarly brats, when they come to me are more caressed and courted, than the best of my own children, and fed on the fat of the land, while I and my family want a meal's meat: but when I go to your place, how am I treated? you encourage your very scullions and link-boys, to twirl my hat, chalk my back, pelt me with mud, and throw potatos in my teeth.

" A great part of my grounds lie waste; I cannot send my goods to a fair market; but must let them rot in my warehouses, or sell them to you at your own rate. If you want to man a fleet, or raise an army, to fight the blacks, or the yellow fever, or to serve under ground in the West Indies; Ogh, it is, send to Paddy, Paddy has idle fellows enough, his manufacturers have nothing to do; beat up for recruits on O'Blunder's farm, her spalpeens are only fit to be food for powder.

" But what provokes me most, is your treatment of my sister *Granua*, a young woman, who was a match for any Prince in Christendom; when a mere child, you forced her to marry you, and how have you treated her? you have spoiled her growth, given her disorders, that I fear will shorten her days; you lock her up and starve her, while you are swaggering about bragging of your exploits in boxing and beating; and when you get a broken head for your sauciness, from your neighbours home you come, ranting and vapouring, and beat and strip poor *Granua* in revenge. But, what is worse than all, you pretend, like a base man as you are, that she has gone mad, and that there is no cure for her, than the actual cautery, the strait-waistcoat, bleeding in the jugulars, and sending her to to the salt water; now whether any human constitution can stand all this, I leave to the impartial world; but we deserve this usage for our folly; we thought to get good terms by flattering and coaxing you, and filling your pockets with money; and that would have answered, no doubt, if you had a grain of generosity in your carcase; but, alas! the only argument

you mind is a *shillelah*, and the only law you regard, is *club-law*.

"God knows how I have been involved in my circumstances, by joining you in all your law-suits; your litigious temper would never allow you to be at peace with your neighbours; and rather than be without a law-suit, you brought an action against Farmer Yankey, your own tenant, because he would not bring all his grist to your mill. Well, what did you get by that, John? It turned out that you had a bad title to the estate, and you were cast on a hearing. O Lord, O Lord! it makes my hair stand on end, to think what bills of costs you have paid, and a swinging share of all has fallen on poor poor Paddy; but *naboklish*, the worst is behind, and the memory of what is past. You must needs quarrel like a conceited numskull, as you are, with your next door neighbour, M. *Guillotine*, the French dancing-master; because, forsooth, he presumed to cook his victuals his own way, and you attempted to trip up his heels, and so he has taken the law of you; this suit is not over, you have hitherto had the worst of it; still you try to banish thought, and divert yourself with your pack of water-dogs, and your other hounds, and your duck-hunts; but mark my words, it is a long lane that knows no turning; the assizes are drawing nigh, the trial must come on; how are you prepared to see the lawyers?

"You may talk of my blunders, Mr. Bull, but look at home; are you not a stupid dolt, the dupe and the cully of every quack doctor, swindling alchemist, and hungry projector? Are you not perpetually the dupe of your own avarice, ambition, and rapacity? What sums have you lavished on Mr. Voneitherside, the Prussian slight-of-hand man, for the purpose of setting up a Pharo Bank, and playing at push-pin, and teetotum, on a flim-flam promise of lining your pockets with French crowns; and how did he serve you? He shewed all your best tricks to your opponents, whilst your money went over to him, by barrels at a time, and you were absolutely brought on the parish. How many heavy guineas have you lavished on your neighbour, the German horse-rider, who

undertook to cure you of the shaking ague, and the falling-sickness, by a course of *gunpowder*, and tincture of *steel*.

Ohone! Ohone! You call me a blunderer, the greatest blunder I ever committed was, the having any thing to say to you, except it was the calling myself a freeman, Ohone! Irish freedom is Egyptian bondage, Honey! You talk of sending the Scotch and Welsh to flea me, and make drums of my skin, and be at a charge upon them, against French democrats; but hark, in your ear! the Scotch and Welsh may not be always in the same mind. The Scots have heard of a place called Tranent, and the Welsh may call to mind, how Edward, one of your kings, murdered all their Bards, that they might not have a song or tune on the harp, to cheer them in their misery. You talk of sending Jews, and all the tribes of Gergashites; why you have sent them already, John; they have overspread the land like locusts; our public offices are full of them, they sit on the treasury bench, the bench of bishops, and all your benches. The Jews, I have been told, are great dealers in old clothes; they would be the cheapest for my money, for we have many *turncoats* in Ireland; but if a host of Jews were to come amongst us, they would not use us worse than our Christian brethren; nay, they might sympathize in our sufferings, recollect something of what their own nation endured in Egypt. At any rate, Friend John, you have qualified us to fraternize with the Jewish tribes, you have circumcised and exorcised us, too, with a vengeance.

"You advise me to call to mind past occurrences; give me something to remind you by; call to mind! aye, that I must, Mr. Bull; you have left your marks in cuts and scars, and thumps on my poor carcase; you bid me eat my potatos in quiet; I wish you had left me a little of salt to them.

Remember, you, Mr. Bull! Oh, that I may never forget you. These seven hundred long years, I may say, have I been serving my apprenticeship to you, and I have not learned to set up for myself. I wish to God, you would either take me into partnership, or give me up my indentures, and that you would treat Granua properly, or be divorced from her.

We have never known luck nor grace since we had dealings with you. Mr. Bull is too great a man; no fit connexion for us. Many and many an honest fellow has been ruined, and brought to a morsel of bread, by pretending to associate and claim kindred, and keep company with those above him. He is like a little cock boat, holding on by the painter, and trying to keep close to a big ship in the storm.

"I tell you what, the very best thing for poor Paddy would be, to make a child's bargain with the great Mr. Bull, let me alone, and I'll let you alone. I make it with all the veins of my heart. The time may come, when you shall be brought to agree to it; let us be civil strangers for the future, and that is the way to make us good friends."

"On the following day, the road led through a delightful country. Nature and art seemed to have conspired together to try which should beautify it the most. The projecting rock and deep glen, and venerable oak of the former were diversified with the swelling eminence, the sloping lawn and graceful planting of the latter. In the distant horizon, the brightness of the bleaching greens, the russet of the mountain top, and the verdure of its sides, shot into each other like the changing colours of a lutestring, while the rich purple of the sky, threw over the whole a kind of celestial brightness.

"I was now greatly amused with the conversation of an old Covenanter, who was going home from meeting, and overtook me as I was sauntering carelessly along. He had already walked three miles, and had five more to go. He seemed in raptures with the preacher he had travelled so far to hear.

"A *bonnier* discourse," said he, "was ne'er penned—spoke for *twa gude* hours and a half, and ne'er looked at book or paper—proved to us from *aw* authorities, both ancient and modern, that man was born to *die*."

"That is no difficult matter to prove," I said, "most people know that as well as the preacher."

"For what they know I *canna* say," answered he, "but I

know what they do—there is the big man, now, that owns that *pelace* before us."

"Yes," said I, "he's a great lord."

"He's *na* great lord *sur*," said he "there's *na* great lord *ava*, but the great Lord of heaven—*augh* but man put himself in the place of his maker, and must be bowed down to, and worshipped like the golden calf of the Israelites."

"His lordship," I said, "is the head of an ancient family."

"*Alder* than *gude*," said he, "I'll be bound for it—*gin* we are to judge by what we hear *o* him—he leads a *bra* ranting life in London—*gangs* to plays and such like places, and then he comes over among us and brings his fine *medems*, like so many painted Jezabel's—but *yough hough*, the worm is their mother and sister, and when they are dead, what becomes of *aa* their pride and their airs? *Lezurus* will be in Abraham's bosom—I *wunna* say where they may chance to be."

"A well dressed and good-looking young woman was washing her feet by the road side. We stopped to have a few moments' conversation with her. She had walked some distance, and was going to a friend's house on a very particular errand; with true northern foresight, she had carried her shoes and stockings in a handkerchief, and was now washing her feet in order to put them on, that she might step in with all due smartness. When she had finished dressing herself, she proceeded on with us. She was very communicative, and told us the business she was coming on, which was to look after a stray sweetheart. As I walked a little behind, I overheard her tell my companion, who had a good deal the look of a diviner, the dream which pointed out the spot where she would find him.

"The old Covenanter and I continued conversing a good while after the young dreamer had left us. He was a shrewd and intelligent man. I was impressed as much with the singularity of his language, as the singular construction and independence of his mind. He never in speaking of persons, the most exalted in rank, or considerable wealth, said lady or

gentleman, but woman or man—lords, bishops, and even esquires, were not so much the objects of his hatred, as of his derision and contempt. "*Na na, na,*" said he, "it *wunna* bear controversy, when there is *na meerit*, you would *na* surely *gee* a *teetle*, and when there is, it only disgrace—*wha* ever said Mr. Matthew, or Mr. Luke, or Mr. John?"

"Were my opinions the same as his, and as far as transendent merit is concerned, they certainly are I should have given a similar, though probably, a less evangelical illustration. I should, probably, have asked who ever said Lord Verulam, or Mr. Milton, or Mr. Shakespeare?

"The Covenanters, it is hardly necessary to say, are the most rigid of Presbyterians, and the same who in Scotland, by their fatal opposition to the unfortunate Charles, led to the overthrow of the monarchy, and the inundation of these kingdoms with blood. They do not yet even pray for the king, because he has not taken the solemn league and covenant; nor do they pray by name for any person whatever. They are rigid maintainers of the ancient and now almost exploded doctrine of election and reprobation, and would not choose to waste their prayers on one, whom according to their benevolent system, the Almighty has perhaps pre-ordained to eternal misery before the world was:

> "As wordlings do, giving their sum of more,
> To that which has enough."

"They pray (generally) for all under the influence of the election of grace, or for whom there are purposes of salvation or mercy, absent or present from the highest to the lowest, and from the nearest to the remotest, throughout the immensity of created space.

"The number of their congregations in this country, is about twenty. They have now public worship, pretty generally in houses; formerly it was almost universally performed in the open fields. Their ancestors were driven by persecution to wilds and glens, where only they could worship their maker by stealth and in secrecy, and by a natural association, more

pleasurable than otherwise, they retained the custom long after the original cause was removed. I recollect being at one of those meetings, when I was a very little boy, it is present to my recollection as fresh, as if it were only yesterday. I see it now as if it were before my eyes; the bright sun and clear sky—the wild glen, and dark woods, and foaming torrent—the thin dapper figure—the sharp face and keen visage of the preacher, as he projected his head from the little pulpit, covered with canvass, placed on the verge of the hill; the immense multitude of all ages and sexes, in scarlet cloaks and grey mantles, and blue and russet-coloured, and heath-dyed-coats in hoods and bonnets, and mob caps, and old fashioned hats, standing, sitting, and lying around."

It has been alleged, though falsely, against Mr. O'Connell, that he cannot discover any virtue in a Protestant; it is, however, one of those opinions which the illiberal minded have adopted, without any other ground for its support than hatred and prejudice. It is, therefore, pleasant to represent him in those situations, where he is seen in his real character, divested of the partiality of friendship, or blackened by the malice of enmity. Wherever Mr. O'Connell, in his short tour in the north of Ireland, met with an individual, with whom he entered into any of the common relations of human society, he asked not first of himself, whether he was Protestant or Catholic? it was enough for him to know that he was a good and virtuous man; and that being ascertained, all other considerations vanished before him. Not a stronger proof can be given of the truth of the foregoing remarks, than the general tenour of his conduct during the whole of his northern tour, when he was thrown chiefly into the society of Protestants, and many of them ministers of the established church. That the mind of Mr. O'Connell was open to the reception of every general truth, cannot be denied, but by those, whose obliquity of vision would not allow them to look direct into the attributes of his character, and who, hood-winked by prejudice, could see nothing in his actions, but self-interest and personal aggrandizement. A universal religion is incompatible and inconsis-

tent with the political and physical state of the world, and on the same principle, it is difficult to say, whether a universal truth can be established; at all events, if one set of men take up an opinion that they are in the possession of any universal truth, and that it is their business to procure for that truth a universal reception, they become, of necessity, intolerant members of society. If another set of men, either participate with the former, in the persuasion of the reality of this supposed universal truth, and of the duty of its propagation, or are simply absorbed with the consideration of the motives, laudable in the abstract, of the band first described, and not regardful of the practical operation of these motives; these, in their turn, necessarily become abettors, defenders, and encouragers of the intolerance and persecution, of which the others are the actors.

But, among the political public in England, as also among that of other countries, there are also a number of persons, who are prepared to play, at least, this second part; mistaking now religion, and now philosophy for politics; forgetful of the limits, which on every side belong to things political, and thinking only of the universality, which belongs truly to things religious, or philosophical alone. Mr. O'Connell in all his judgments, and it may be added, with the strictest adherence to truth, in all his actions also, separated philosophy from politics, and consistently with that mode of action, he admitted that upon almost any subject proposed to human inquiry, there should be room for a diversity of opinion, and that the preachers of any doctrine should be honoured with followers; these things are no other than to be expected, and when of the class of things not affecting human affairs, they are always of, comparatively, slight concern. But where the effect of our opinions must be immediately discovered in our actions, then the importance of this justice becomes invaluable, and this in proportion to the sphere within which our actions are to operate. If those actions have reference to the welfare of a whole people, and still more, if they refer to that of a whole world; then their importance is obviously great, indeed!

But the influence of public opinion upon the affairs of a state is different in its operations, according to the form or constitution of government of the particular state in which it presents itself. In states, of which the form of government gives no immediate power to the public, the opinion of that public can only make efforts, perhaps inefficient, to operate mediately through the actual depositaries of power; and, in these situations, public opinion on government assumes a character almost simply speculative; and, like the opinions, in general philosophy and natural science of the schools, end where they began. But, in states like our own, where the public enjoy from the direct provisions of the constitution, a certain share of direct power, and from the indirect results of that constitution, a share of indirect power, of which it would be difficult to state the prodigious sum; there, the effect of the union of that natural and uncultivated spirit of mere philosophy, which has been described inherent in human nature, with the immediate management of national affairs, is a phenomenon of the gravest character, and one which demands the most incessant vigilance. It only requires to be admitted, that nature is more prevalent than art; ignorance than knowledge; that all men have the gifts of nature, and only a certain portion of men, the attainments of art; and that government is a matter of learning, not less than a matter of feeling; it only requires the admission of these truths (truths apparently indisputable), to explain how it must always happen that, among a free people, there will subsist a party whose views are incompatible with the public welfare, and how the opinions of that party must always be a favourite with the multitude—of the majority; of that multitude and majority so called, under a certain aspect, in which we have beheld our countrymen at the present day.

That such sentiments are to be prized, as emanating from a mind like that of Mr. O'Connell, cannot be doubted; they are, however, but the precursors of others of a still more liberal tendency, which were expressed by him on his visit to Strabane, a town in the diocese of Derry, and which pre-

sented him with the occasion of thus speaking of an Irish Protestant priest.

"The clergyman of Strabane," says Mr. O'Connell, "has but a small living, comparatively speaking; it does not, perhaps, exceed £700 a year. He is universally allowed to be a worthy deserving man. I have little personal acquaintance with him, but with a predecessor of his I had much. I have passed many, many, very many happy days and hours in his society, and never quitted it without being enlivened by his gaiety, instructed by his conversation; and, I trust, benefited by his example. But though his kindness to me is still, and will be ever, with gratitude remembered, I should not notice him here, were it not that I could bear ample testimony to the unbounded benevolence of heart, which led him ever foremost to relieve misery, and gladden the mansions of distress. Glorious pre-eminence, worthy the ministry of that gospel, which teaches us to consider all men as brethren."

The visit of Mr. O'Connell to the little town of Minicherin furnishes him with the opportunity of presenting us with the following sketch of the Irish character. The town consists of twenty or thirty little cabins. To each of these are attached a few acres of land—a portion is a potato garden, and the remainder gives grass for a cow, and produces a little oats. To an Englishman nothing would seem more wretched than the situation of these cabins. The ground on which they stand is half reclaimed bog, and heaps of manure are piled and scattered round them, which render entrance a matter of considerable difficulty. Nor does the state of the interior appear to make amends for the exterior. In mid-day the darkness of midnight rests upon it. The chimney is seldom so well constructed as to carry away the smoke, through which some women, blear-eyed, shrivelled, and blackened seated on their three-legged stools, like so many sylphs in the act of prophecy, gradually become visible. A cow, a calf, and a pig, generally fill up the back ground. The appearance of the furniture corresponds with that of the inhabitants—a few earthen vessels, tin porringers, and wooden noggins on the

dresser, two or three stools around the fire, and a bed or beds, covered by a coarse and black rug, make up the whole of it.

All this is wretchedness, surely, or there is no such thing as wretchedness upon earth.

To many, very many, no doubt it would be so, but happily the people most interested, are not wretched; very far from it, and many good reasons might be given, why they should not.

In the first place, neither they, nor their immediate fathers, ever knew a better way of living. This, in itself, is almost every thing. Man is the mere creature of habit, and all those tastes which have the most influence over him, are acquired ones; no man ever was born with a love of snuff, of coffee, of pepper, or of claret.

In the next place, the bogs on which (in which we should rathet say) they live, give them plenty of turf. The poorest man has (if it is not his own fault) an inexhaustible abundance of firing. Chilled, and as it were impregnated with the damp and moisture of his mountains, even the smoke of his cabin gives him pleasure. He is not a creature who lives in a medium way, nor is he, perhaps the more to be pitied on that account. He has the rapid alteration of heat and cold, of draught and moisture, and if he is often chilled and drenched during the day, he has a more exquisite relish for the fire during the night, and when he is dried and baked, as it were in an oven, he returns again with cheerfulness to the open air.

His food is simple; but he has it in abundance. It is wholesome food likewise. Vegetables and milk, potatos, butter, onions, and oaten-bread. Onions and garlic are of a most cordial nature. These vegetables composed part of the diet which enabled the Israelites to endure, in a warm climate, the heavy tasks imposed on them by their Egyptian master. They were likewise eaten by Roman farmers to repair the waste of their strength, by the toils of harvest. When notwithstanding their cordial properties, he feels uneasy sensations in his stomach, from the acescant qualities of his food, nature kindly extends her hand to him with a medicine drawn from his own mountains—a medicine which he does not take reluctantly,

but readily and cheerfully—whiskey— which, when not drunk to excess, is as well-suited to his temperament and necessities, as wine is to a Frenchman's, or as ale to an Englishman's.

Milk and vegetable diet humanize the heart, as if they do not create, they cherish benevolent dispositions. All fierce animals are carnivorous, all gentle ones are granivorous. An Irish mountaineer is mild, humane, and affectionate, and he shrinks —yes, paradoxical as it will be reckoned by many—he shrinks beyond most other men from the idea of inflicting misery, or of shedding blood. This is his natural and quiescent character.

But he is social, and he has extraordinary sensibility. His sympathy is easily excited, and he catches the flame of enthusiasm with an ardour inconceivable to persons of a more phlegmatic temperament. The quarrel, therefore, of his neighbour, his friend, or his relation is his own quarrel—he kindles as he goes along, passion takes entire possession of him, and under the influence of this temporary frenzy, he is capable of committing the greatest excesses. Women are more tender, more humane, and affectionate, than men; but when in a passion, they have much less self-government, and have, perhaps, done more atrocious deeds.

"The wretched condition of society in Ireland, the contest which has so long subsisted between the two great sects into which it is divided, the occasional arrogance and oppression of the Protestant, plant the thorns of envy, jealousy, and hatred, in the poor Catholic's breast, which never fail to shoot forth into a plenteous crop of resentment, whenever an opportunity presents itself. On such an occasion, he does not scrupulously discriminate between the Protestant, his benefactor, and the Protestant, his oppressor. In his ordinary and insulated state, he thinks only of the man; in his artificial and gregarious state, he thinks only of the Protestant.

"But, besides his great susceptibility of impression, his great tendency to association, and his political situation, there is another reason why the incidental character of the Irish mountaineer should so often predominate over his intrinsic

one. I mean his great tendency to drunkenness; which, after all, he has only in common with the inhabitants of other mountainous countries. The craving and longing of man, in a cold and damp climate, for ardent spirits, is so universal, that it seems an instinct given by nature for his preservation, rather than a pernicious habit which leads to his destruction. It has been remarked, that the Indians have diminished every where in America, since their connexion with the Europeans. This has been justly ascribed to the Europeans having introduced spirituous liquors among them. In the same period, the Irish peasantry have every where increased; nor is there, perhaps, a healthier body in the universe.

But to return to the other advantages of the poor mountaineers' condition; I return to them with pleasure, for sweet it is to find that the flower of human happiness will not wither, even when stuck in the bosom, of what at first view, appears wretchedness itself.

Milk, and vegetable diet, not only mend his heart and humanize his disposition, but give him, if not better health, at least longer life. Animal food is a much higher stimulus than vegetable. It quickens the circulation much more, and sooner wears out the power of life. The lamp burns the brighter, perhaps (and only perhaps), but it burns quicker. I have felt the pulses of a number of English and Irish peasants, and have always found those of the latter, slower than those of the former.

Constant intercourse with his cattle, sharing with them his room and his roof, gives him health to enjoy life. Nature, which made man, and those animals equally necessary to each other, has kindly prevented any inconvenience from their living together. On the contrary, to repay him for affording them shelter, she has done more. She has endowed them with the power of destroying the effects of marsh exhalations, and of preventing fever.

Constant living out of doors during the day gives him more health, more enjoyment. Happiness not only depends on

subjects, but on capacities; not only on the application of them to the nerves, but on the state of the nerves themselves. When they are not in a state of proper tension, impressions made upon them, will be feeble and unattractive.

To the healthy state of the nervous system, frequent and almost continued exposure to the open air, which beyond even sleep, is chief nourisher in life's feast, is indispensable and I will venture to assert that the English tradesman or manufacturer, whose avocations exclude him so entirely from it, though he has so much more of what the world calls comfort, has not the one half of the enjoyment of the Irish peasant, who labours in wet and cold, and snow, on an immense morass, or dreary mountain, but whose heart is fanned by the stream which passes over him, whose imagination is quickened by the solemnity around him, and whose nature is ennobled by the intercourse of those airy beings with whom in fancy he associates.

One more advantage (a very great one) and I have done. The bounty of nature has by one gift, in a great measure levelled, the conditions of men. A simple word brought from America has put on an equal footing the king on his throne, the lord in his castle, and the peasant on his mountain; perhaps, with benevolence beyond justice, has given the superiority to the latter. I question whether one of those poor Irish mountaineers, seated by his blazing fire, drying his drenched garments, resting his wearied limbs and exhaling from his little soot-covered pipe oblivion to his cares, his hardships and his wants, quickening his imagination at each breath to revel in ideal communication with the fairies of the stream which flows near him—to listen in astonishment to the song of the witches in the storm which passes over him, does not for one pleasurable sensation which fastidious prosperity, shut up in a close apartment, picking dainties, for which the best of all sauces is wanting, sipping the finest wines which to its jaded palate have lost all their relish, ever experience, enjoy a hundred.

Are then these poor people, perhaps, may be asked, perfectly satisfied and content?

Alas, no! Who are content? The rich London merchant, who heaps thousands on thousands—the mighty conqueror, who adds provinces to kingdoms, as a girl strings beads, merely to be scattered again Are they content?

The poorest people, like all other men, are sufficiently alive to the evils of their present condition. Like all other men, they do not live in the present alone, but in the future, and in the past; and while they have hope to brighten, have recollection to darken their path.

Into these mountains their ancestors were driven. They were driven up and down like sheep, and left upon black bog, and dun heath, and barren rocks, to mourn over their fallen greatness, their ancient possessions, their fertile vales, their flocks, and their fields.

In these mountains even, they could not worship their God in quietness. Insult and injury followed them even here, and the pious and venerable priest, who would have raised their thoughts from earth to heaven, was driven with tauntings and mockery, from the black rock which sheltered his grey hairs from the storm, from the simple sod of earth, which was the only altar he could raise to the Almighty, and from the dark lake, which mournfully reflected his still darker fate.

In these mountains, these generous hearts became ulcerated, their souls corrosive, their judgments perverted; and they preyed in large gangs on the land and properties of the inhabitants of valleys, as a matter of right, of inheritance, and revenge. In these mountains, when resentment dared no longer openly shew itself, it became perhaps only the stronger for concentration. Protestant magistrates, Protestant landlords, Protestant masters, were compelled to bow down to, to flatter, and to obey. To bow down to those, who had injured them, to flatter those they hated.

And if to these mountains, in poverty and depression, some

of their descendants continue to cling, when a brighter sky and warmer sun and happier land, invite them from the other side of the Atlantic, because religion teaches them to view in the storms which shake the earth, the judgments of an avenging God, would it be thought wonderful or strange? But on this ungracious subject I will not dwell. It would be worse than ungracious in me.

Simple and warm-hearted people! Because I had in a light work written a few lines in your favour; because I had done you a faint kind of justice; how expressive were your feelings, how warm was your gratitude, and how sincere were your thanks.

Oh, how repeated must have been the injuries which deadened those feelings of kindness, how deep the sense of injustice, which shut up those kind and glowing hearts, which plucked the damask rose of love, and turned its opening leaves to barrenness! Oh, how it is to be lamented, that of late years, feeling, rather than calculation, has not predominated in the councils of England—the soul of generosity, rather than the measure of policy—and that the great and God-like statesman was not spared, whose spirit might have moved dove-like on the waters, and hushed them into quietness.

Mr. O'Connell pursues his route, like the sensible traveller, who anxious to make himself acquainted with the manners of the people, amongst whom he is dwelling, thinks no hut too low or mean in which he can repose himself, so that he can penetrate into the nationalities of the people.

I had various modes (he says), of conveyance in my power, but preferred walking; if not the easiest, it is the safest method of travelling; a man who is on the ground can fall no lower; this should be a consolation, in times such as these, to poverty also. I had walked but a short way, when a shower forced me to take refuge in a cabin by the road side. The men and women were in the fields; an infant was in the cradle, a child of about six years old was rocking it. I spoke to the little rocker, but it could only speak Irish; this is

commonly the case with children born in the mountains; but they almost universally learn a little English as they grow up. Speaking Irish, may, I believe, be considered by every Englishman who travels in Ireland, as a declaration of being a Catholic. The lowest Protestant would feel degraded by the supposition that he understood, much less spoke it. This singular and most unjust contempt of the aborigines and their language, is a convincing proof (where proof wanting), how very colonial, and how little national, a large portion of the people are. Nothing affronts a poor or ragged Protestant more, than asking him any question, as if he were a Catholic, indeed, if a little time is allowed him, he will himself tell what he is, like an English landlord or waiter in Wales, if he is asked a question about any neighbouring mountain or valley, will answer shortly and gruffly, that he knows nothing about them, and then takes care to inform you that he is an Englishman, and tells often the particular spot where he was born, lest it should be supposed he was a borderer even. Nobody so low but he thinks others still lower.

Little occurred in the day's ramble worthy of being related. The general aspect of the country was dreary and cheerless. I met with few people, and regretted more the absence of man, as nature so ill makes up for the loss. I had, however, one consolation in solitude, which in London a man has not always in society. I was perfectly free from molestation, or from apprehension of it. Robbery is little known, and never dreaded in the north of Ireland. Yet the mountains, I this day travelled over, were in ancient times the seat of rapine and plunder. Travellers were obliged to cross them in large bodies like Eastern caravans, notwithstanding which they were often robbed, and many of them murdered, by the numerous and daring gangs of robbers who infested them. It is inconceivable how fresh the events of those days are in the minds of the people of Ireland. The wars of William and James are as little talked of in England as the war of Troy, and an immeasurable distance seems between the period in which they happened, and the present one; but in Ireland, where ac-

counts have been handed down from father to son, and the ideas been frequently revolved, they are as fresh as if the events had only occurred yesterday, and the siege of Londonderry is talked of with much less reference to distance of time than the siege of Boston is in England. One evil of this is the injury it does the character of the country. The country people, accosted by a stranger, will tell him of robberies and murders, and assassinations that make him tremble; he fears to walk a mile alone, and thinks himself in a country inhabited by demons; but were he to take pains to ascertain facts, he would find that the greater part of the events recorded in these terrific tales, occurred upwards of a century ago. There is is not in the universe a country more free from violence or robbery than the north of Ireland. Highway robbery is almost unknown. House-breaking certainly does occur, but not often. The great thefts are horse-stealing and bleach-green robbing. In several counties not a man has been executed for many years. One murder, however, was perpetrated in these mountains in the memory of some people yet living. The murderer was executed near the road, and the body hung in chains. A circumstance half ludicrous, half melancholy, occurred about a fortnight afterwards. The gaoler, who had superintended the execution, returning late at night from a fair in the neighbourhood, made a bet with some people that were along with him, that he would ride up to the gallows, and would give the body a blow with his whip. This he performed; but a poor foolish creature happening to be asleep at the foot of the tree, started up, and called to him, "Dinna strike him, now, man, he is dead, and can da ye na harm." The gaoler was so alarmed, that he set off full gallop; and, without proceeding far, dropped off his horse, and expired.

I arrived, towards night, at the little town of Dungiven. It consists of about fifty houses, a dozen of which are nearly overshadowed by a spreading oak that grows in the middle of the place. This venerable tree awakes so many recollections —its branches gave shelter to so many generations long passed

away, its trunk was the residence of the Dryads and Hamadryads of our younger days, that I can never see it without a feeling (a short-lived feeling) of melancholy.

I stopped at a little inn or public house. It was not uncomfortable, and seemed perfectly clean. I was shewn to a bed-room as the parlour was full. I had no reason to doubt the truth of this information. Silence, Doctor Goldsmith says is the mother tongue of a lover. It rarely is of a drunken party. After walking twenty Irish miles a bed is no bad sofa, nor is the fatigue an indifferent opiate. Notwithstanding the merriment in my neighbourhood, I remained in peaceful slumber until my dinner was ready. It consisted of veal chops, roast mutton, and boiled beef. I had only ordered the first. The malt liquor, as is too frequ tly the case in Ireland, was bad—there is in truth little inducement to make it good, for few people seem disposed to drink it. Spirits and water constitute the favourite beverage at dinner, and punch after it. The punch, however, has little resemblance to what goes by that name in England. It is made with little sweet, with no acid, and is drunk very weak. Acids, so harmless to English stomachs, are very injurious to Irish ones. I should attribute the extraordinary irritability of Irish stomachs, which I have had frequent occasions to remark, to the great moisture of the climate.

After dinner I went to the bar. I found the landlady busy in serving out whiskey. The landlord was reading a newspaper. I invited him to come and take a glass of punch with me. He refused it. "He was under promise," he said, "and could only take one glass of whiskey in the day."

This voluntary penance is not uncommon. With many the love of liquor is so strong, that they find it impossible to abstain from it, and, therefore, by a strong effort, endeavour to restrain it. They resolve either not to take any spirits at all, or to take only a certain limited quantity, and to secure the performance of this arduous resolution, they generrally bind themselves by an oath, which is never broken, though sometimes evaded, One of them, for instance, swears that he will

not drink except out of the hand of some lady or gentleman in his neighbourhood. When any merry making is going forward in which he wishes to take a share, he waits on the keeper of his conscience with a bottle of whiskey, which he puts into her or his hands, and immediately takes back again into his own.

Various other ludicrous evasions are practised. A man in a sudden fit of repentance, swears never to drink whiskey as long as he lives—he soaks bread in it, and gets drunk—he does not, he conceives, drink, he only eats it. Another has been quarrelling at fairs and markets, and swears that he will not for a certain time drink out of his own house. He gets drunk there, quarrels with and perhaps beats, his wife or children. The next morning he is smitten with remorse, for his heart is generally as soft, as his passions are violent. He then swears neither to drink in or out of the house. He is caught here, and one would think has no loop-hole to creep out at. He finds one, however. He drinks with a foot on each side the threshold, and flatters himself he is not forsworn.

My host is a Presbyterian, and therefore, more conscientious. He is sworn to drink but one glass in the day, which he tells me he takes as soon as he rises in the morning, and feels no more inclination for it till the same hour of the following day. He has a glass of his own which is not a small one, and he takes care, I dare say, to give himself good measure. I asked him if he had any books. "Books! I think I have indeed," said he, opening a chest where there were about half a dozen mouldy and half torn ones. "You see," said he smiling complacently, "I have all my comforts about me, for a library, a wife, and a drop of the *native*, I defy the county."

His liquor was good, certainly, his books were,—Boston's four-fold State, Boston's Sermons, Cloud of Witnesses, the Hind let Loose, and the Marrow of Divinity—all of which I had read in my younger days, and never wished to see or read

again. Books of which, I shall shortly say, that like all others of what is called Scotch divinity, give a God, different, I trust, from the real one, and while they represent as a stern judge the beneficent author of nature, they (to change a little the words of Hamlet,)

> "——— take off the rose
> From the fair forehead of man's opening hopes
> And set a blister there."

I took up a volume which lay on a chair that belonged to a lodger. It was Sir William Temple's account of the rebellion of 1641. I carried it to my room. Sir William was a great statesman, a polished gentleman, and elegant scholar. Such is the character, historians give him. We must not judge an author by his book, else I should pronounce him very undeserving of the praises so lavishly bestowed on him. Of all the accounts of the above unhappy period, his is the most partial, the most exaggerated, and the most absurd. On reflection, he was himself highly dissatisfied with the performance, and would not suffer it to pass through a second edition. But the mischief was already done. Thousands read the book who never heard of his contrition, and thousands who did hear of it, had their imaginations too much inflamed, and their judgements too much biassed, to pay any attention to it.

From the most authentic and unprejudiced accounts, it does not appear that the number of English (as they were called) massacred, amounted to twelve thousand, instead of one hundred and fifty thousand, which Sir William swells it to. Nor was any considerable portion of those English, in any other sense than the Irish Protestants of the present day are English. They were the descendants of Englishmen, settled in those lands, of which the unfortunate natives were (often perhaps very unjustly) dispossessed Of the state of wretchedness to which some of the principal Irish families were reduced, some idea may be formed from the following:

"The Duchess of Buckingham, being then, after her first

widowhood, married to the Earl of Antrim, had raised one thousand men, among her lord's yeomanry, in aid of King Charles the First. The deputy, Lord Wentworth, had directed her Grace to have these recruits marched by the route of Newtown Limavady. In passing through the village, curiosity induced her Grace to visit the wife of O'Cahan, its chieftain, whose castle had been demolished, and himself banished. In the midst of this half-ruined edifice, was kindled a fire of branches. The window casements were stuffed with straw, to keep off the rigours of the season. Thus lodged the aged wife of O'Cahan—she was found by her noble visitant, sitting on her bent hams in the smoke, wrapt in a blanket."

Mr. O'Connell now gives us a few observations on the state of Ireland, on which he says, they will, probably, not be very acceptable to any party. That, as far as I am myself concerned, is a matter of small consequence. Yet, whether it is the suggestion of reason, or the foreboding of melancholy, as the impression on my mind of impending calamity is at times very strong, I own I should wish to communicate to the breasts of others, a part of what presses on my own; otherwise, it might be better for me not to be credited. Men seldom love those who tell them unwelcome truths. It was the misfortune of Cassandra always to do so; it was perhaps, her blessing that she was never believed.

Were Ireland a small island in a remote ocean, I think no Englishman, (I am sure no humane Englishman,) could contemplate her without emotion, or to be indifferent about the changes she is likely to undergo, before she ascends to that natural level to which she is tending, and which society, like water, whether slowly or quickly, whether roughly or smoothly, is always sure of finding. But Ireland is not a small island in a remote ocean; she is an essential part of the British empire; she is within a few hours sail of England, they are grappled together, and must undergo one fate, "equal joy, or equal woe."

On the importance of Ireland to England, it is unnecessary to dwell. England does not produce food enough for the con-

sumption of her inhabitants · she could neither victual her army or navy, without the assistance of Ireland; she could not even have so large an army or navy to eat those victuals, without her assistance; with the progress of commerce and luxury, she has become effeminate; it is never the virtuous part of manufacturers, but the vicious, the idle and unemployed, that enlist in England. It is in Ireland, therefore, that she must look for her army. The population is immense, ill fed, and ill clad; an Englishman in the army leads a life of hardship and want; an Irishman, a life of luxury and ease; his early habits enable him to live upon little, and the hardihood of his frame bears fatigue, that would kill many Englishmen; he passes whole days without nourishment, apparently regardless of heat, or cold, or hunger, or thirst. It is asserted, that one third of the army and navy are Irishmen. I have no means of ascertaining the truth or falsity of this; but of this I am certain, did the Catholic gentry and clergy exert themselves among the people, there would be ten soldiers or sailors for one who goes at present; were the feelings of national or religious interest embodied with those, (whatever they may be,) which now operate, how powerful would be the effect, and how easily could the coarse, but energetic eloquence of the Irish clergy, raise up an army (like the fabled men of Cadmus of old,) in the course of a single night.

Ireland lies alongside Great Britain, for an immense extent of coast; they are insulated from all the rest of Europe; there is a reciprocal dependence, for a secure and undisturbed navigation, in a great part of the circumference of both; were Ireland sunk in the bottom of the sea, England would not be so powerful a nation; were she in possession of an enemy, England would feel the consequences.

In the country where I write this, and probably at no very distant period of time, there may be a most awful struggle. What the event may be it were useless to conjecture—what may be the present feelings of one of the great bodies into which Ireland is divided, it seems better worth while to enquire. As far as my observations extend, the Catholics retain

a deep sense of their former wrongs, and recent insults; they cherish fixed and unalterable hate to the present ministry; they think themselves degraded, injured, and oppressed; and, doubtless, there may be those who think, that the hour of their deliverance is nigh.

In reviewing the actions of men, it is melancholy to remark, that there is much to reprobate, much to condemn, much to lament, and little to applaud; we read the tale of oppression, and our passions become inflamed against the barbarous oppressors; our judgments correct the excess of our feelings; we find that the oppressed have been often oppressors, and that the oppressors have been often oppressed; we find that one party has been wrong, without the other being right.

These observations apply with peculiar force, to the conduct of England and Ireland to each other, in ancient as well as in modern times. England was proud in strength, in conquest, and in knowledge. Ireland was obstinate in defeat, in ignorance, and independence; England would conquer, would tame, but she would not conciliate. Ireland would struggle against the decrees of Heaven, the course of nature, and the order of things. Any dispassionate person who considers the situation of the two countries, must be convinced, that whenever society became advanced, they were intended to form one empire, of which England must necessarily be the head; she was interposed between Ireland, and all the rest of Europe, and through her only, could arts, knowledge, and civilization pass to the lesser state. This misfortune was, that Ireland was part of a system, but wished to move in a sphere of her own; a more mischievous wish she could not have conceived. Fully to estimate the absurdity of it, let us suppose that Wales and Scotland first, and then the kingdoms which composed the Saxon heptarchy, had formed a similar wish; wisely, however, they submitted to irresistible power, and found in real happiness, ample compensation for imaginary independence. In a connexion with England, Ireland might have found respectability, grandeur, and civilization; she clung to the steril trunk of solitary independence, and the more she

suffered by it, the more pertinaciously did she cling. For this, she would (a few years ago) have rejected the dignity and consideration, which being grafted on the English oak, afforded; she disdained to identify herself with the greatest empire in the universe. I say the greatest, not because the most warlike, but the most free and virtuous; far removed as the British constitution is from perfection, it is, with all its faults, the best form of government, the most enlightened, and in its ordinary and quiescent state, the most humane and just, that the world ever saw, or, perhaps, ever will see. I am pleased, however, to remark, that considerable alteration has taken place in public opinion, on the subject of the Union. I am convinced, hardly a Protestant out of Dublin wishes for the repeal of it, nor have I conversed even with one person in this part of the kingdom, who regrets the absence of the Irish parliament, except on account of the money it spent in the country.

If Ireland was obstinate in independence, England was tyrannical in strength; enraged and maddened by frequent insurrections, she lost her temper, and forgot her justice. The moment she was assailed by other enemies, Ireland assailed her likewise; she fought nobly with the enemy in front, but regarded Ireland as an assassin, who struck her from behind; she listened to her passions, therefore, rather than to her reason; she entered on a course of forfeiture and expulsion; Englishmen were sent over to subdue and possess the country; she rejected a nation, and planted a colony. In the same spirit of irritation and folly, she abolished the national religion, and established her own; to the motives for hatred which the loss of independence and property inspired, she united the additional one of compelling the inhabitants to bow down to a religion they abhorred; abhorred, because it was not Catholic, and abhorred, because it was her's.

Ireland, in consequence, presents the melancholy spectacle of a distrustful government, and discontented people; of the unnatural supremacy of a few, of the compelled obedience of the many; of one million (comparatively speaking strangers)

enjoying all place, honour, and employment; of four millions, rejected, dreaded, and distrusted. This, then, is the unnatural state of Ireland; government does not emanate from the people; it is not founded in their hearts, their feelings, or prejudices: kindness descends to the Protestant, but goes no lower; it ascends from the people, to the Catholic clergy and gentry, but goes no higher. (And here I beg distinctly to be understood, I do not accuse the present Irish government, or its agents, of oppressing the Catholics; I mean, merely, to remark the want of that sympathy of feeling, that flow of affection, that identity of interest, without which no government can be secure, and no people happy). The effects of this wretched system are what might have been expected; they are recorded in the rebellions, the insurrections, and murders, which have disgraced and desolated Ireland; the traveller reads them equally emphatically in the discord and alienation, the hatred and malice, it has engendered in private life; it opposes neighbour to neighbour, servant to master, landlord to tenant, the inhabitant of the town to the dweller in the country, the artizan in his shed to the peasant in his cottage; the Protestant in the valley to the Catholic on the mountain; it has made humane men commit cruel actions; it has made friendly ones enemies; it has been productive of more evils than ever flowed from the fabled box of Pandora, and though it is inevitable that it should, the supporters of this system coolly sit down, and wonder that it is so.

> "O, but authority, though it err like others,
> Hath yet a kind of medicine in itself,
> That skims the vice o' the top."

For the cure of these maladies many remedies have been proposed, and a few have actually been tried; but these are all partial, trifling, and utterly inadequate; they cherish, rather than allay irritation; like a drop of a water on the tongue of a feverish patient, which gives him a greater longing

to drink at the rock from whence it flowed. By singular mismanagement, government was unfortunate in what it gave, as well as in what it withheld; no concession was made to the *clergy* and gentry, whose influence over the people was unbounded, while privileges were granted to the peasant which were of no use to him, and which only multiplied, between him and the Protestant, the causes of irritation.

I know but of one remedy for the disease of Ireland. The people and government are at issue. The one must become Protestant, or the other (in a degree) must become Catholic; you have tried the former experiment—we have seen with what success—try now the latter. The Catholics are Ireland; govern Ireland then—do not govern a colony. Let office (in its full proportion) be Irish, be Catholic, and I dare say, you will not find them averse to an English, or Protestant king. They will not intermeddle with the Protestant religion in England, if you allow them, what they think they have an equal right to, the Catholic religion in Ireland. You can support your present system only by means that humanity shudders at; by perpetual suspicion, by perpetual watchfulness; on the part of the people there will be perpetual insubordination, and on your part, perpetual punishment. But you cannot support it at all; even at no distant period of time, in the ordinary course of human affairs, a change must happen, but at present—in times such as these—alas, go count the sands of the desert, and tell the proud waves of the ocean where to stop, and then talk of your ascendancy.

I see little reason either, why it should be desirable. There is nothing in the Catholic religion more than in any other, to make worse men, worse subjects, or worse members of the community; it addresses the heart as well as the head, it pleases the fancy, it captivates the imagination, it throws a ray of glory round the skeleton head of theology. It is no upstart, it is an ancient religion; it has all the grandeur and venerable aspect, though it has some of the weaknesses of age; it comes down to us, therefore, with all the reverence, which age, in an individual, nation, or religion, never fails to inspire. Nor are

the people who profess it a gang of slaves it is proposed to let loose. They are a respectable, an honourable, and a noble people; they have a reverend clergy; their gentry have the dignified port and lofty bearings of ancient, but decayed greatness; the gallant and chivalric ideas of former times, well adapted to check the progress of sordid calculation, which is so fast overspreading England. They are Irishmen; the descendants of Englishmen (many of them I am sure are so.) They profess the religion of their fathers, which they brought hither with them, which was also the religion of yours; which was the religion of the Barons, who laid the foundations of your liberty; of the Edwards and Henrys, of whom you are so justly proud. They are a people with whom you have been longer connected, than with any other now in existence. They have shared your dangers and misfortunes, though not your blessings, for the last seven hundred years. There is little in your history, great by its daring, or venerable by its antiquity, in which they have not had a part. When Wales was scarcely a province, and when Scotland was a hostile state, their green shamrock was steeped in blood for your red rose, when the thistle shed its white down on its own mountain-heath.

The Catholic religion is the best support of a government against innovation and revolution. It is not democratic, it believes.—It does not enquire, it obeys.—It looks up with reverence "to the powers that be." But then these powers must have some sympathy, some community of feeling, some identity of being with it. In the attachment of the Irish Catholics, the crown of England might find the firmest support against the revolutionary storm, which, I fear, is gathering within. It was they who sustained so long the falling fortunes of the unhappy James, when all his other subjects had deserted him. It was English puritans who brought his royal father to the block.

"But the Catholic (it may be urged) is so irrational a religion." To this it is hardly necessary to reply—when there is so much among all sects that is incomprehensible, it is not

worth while to enter into shades and degrees; but even allowing that the Protestant is the most rational, it does not apply to the matter in question; you cannot make the people of Ireland Protestants, it would be easier to make them Pagans or Atheists. They are Catholics, bigotted Catholics, perhaps; they are men, proud men, injured men—at least they think so—they are three—the Protestant is one; in a few more years they will be ten—is it possible, that such an order of things can long remain? The pyramid of human society is inverted—could it long remain in such a state, even if left to itself? But assailed by storms, it falls as suddenly, though not so harmlessly, as a house of cards. You have built a goodly habitation, fair to behold, but on a frail foundation, the tide of human affairs insinuates itself into the sand which supports it, it saps the edifice, and while the sun-beams play on its gilded domes and polished pillars, struck as with a rod of enchantment, it vanishes for ever from our sight.

In the history of Scotland, during the reign of Charles the Second, and James the Second, we find a similar struggle between government, to establish episcopacy, which the people detested, and the Covenanters in the west. There were then the same assassinations and murders; the same insubordination and barbarity, which have often disgraced Ireland. On the accession of King William to the throne, Calvinism was made the established religion, and those Covenanters have been the best and firmest supporters of government ever since. I do not say, let the same experiment be tried in Ireland: I know it is impossible; but let it be tried to a certain extent, and I hope it will be followed with the same success. Why should the feelings of the Catholics be tortured, and their pride wounded, by seeing all greatness in the hands of rivals, who form so inconsiderable a part of the population. If loyalty in this country so much depends (and probably it does somewhat depend) on blood, why should not the Catholic descendants of the English *of the pale*, have equal affection (if equal privileges were granted to them) for the parent state, as the

offspring of Scotch Presbyterians settled in Ireland, at the time that Scotland was newly united to England, and little better than a hostile state? You would then govern mightily, because you would govern justly. You now live only from day to day, and govern, as it were, by expedients. This is the clue, which, if followed, will guide you in safety through the labyrinth of Irish disturbance; will conduct you to the well of enchanted water, which will freshen, with renovated youth, the primitive decay of Irish manhood. Consecrate (as far as you can) your state in the temple of national religion—the sacred incense of devotion will curl round the ill-constructed pillar of society, and make it a holy altar of peace, on which the evil passions of men will be laid in sacrifice, and I trust, consumed for ever.

This to many will seem strange advice. But these are strange times, much stranger than the advice. St. Paul's stands where it did, but the times are changed since its first foundations were laid; as much so, as the civilized generation who now live round it are, from the hooded or cowled monks, who once preached before its cross, and the barbarous multitude in leathern jackets, who hearkened in reverence to them. Events have crowded on us in such rapid succession, that we are lost as in a feverish dream.

Calamities have stupified and benumbed us, and we do not perceive, that a few short years have been centuries in the existence of England. We shut our eyes to the path we are on, as the man who climbs a precipice dares not look down, lest his head becoming dizzy, he should lose his hold and fall. We hug the delusion that is destroying us, like the man who swallows ardent spirits, and who does not perceive, in the transient glow they impart, that they are consuming his vitals. Oh, that men were wise! that they would think of the precipice on which they stand; that they would (it is an extravagant metaphor) consider themselves as rope-dancers, balanced on a cord, suspended between steeples, on which one false step is ruin and death.

Your greatness is bloated and unwieldly and if it has all

the grandeur, it has some of the weakness of age. It is founded on commerce, and it could not have a more precarious prop, it is undermined by luxury, which is the moth that consumes the fairest garment, the canker that destroys the goodliest rose. What the fate of all great commercial and luxurious states, when opposed to great warlike ones, has hitherto been, I need not say; as little, that the past is a mirror in which we may likewise contemplate that which is to come.

" L'histoire de ce qui a été, est l'histoire de ce qui est, et de ce qui sera.

" The thing that hath been is *that* which shall be; and that which is done, is that which shall be done; and there is no new thing under the sun."

The grim tiger of the forest prowls round your peaceful habitation, and waits the moment to pounce on his prey. You now defend other countries, you know not how soon you may have to defend your own; as Hannibal, the very year that he waged successful war in Italy, was forced to contend for the existence of Carthage, under her very walls. You rejoice in your victories, and your enemy, perhaps, rejoices in his defeats. It was the victory of Dyrracchium which lost the battle of Pharsalia; and can any reasonable person doubt, that Cæsar did not, on the morning of that ever-memorable day, anticipate the result, though his rival's camp was decorated with laurel, the tents adorned with myrtles, the couches covered with purple, the bowls crowned with ivy to grace the feast which was to celebrate the victory of which he was assured. You *rely* on the greatness of your navy, and well might you rely, had you only to contend with man; but the elements over-rule the calculations of human wisdom, and mock the feebleness of human strength. The winds of heaven are let loose, the waves are raised into mountains, darkness overshadows the deep; you are driven *off* your enemy's harbours, and he is driven *on* your coasts. The empire of the

sea does not always give security on shore. The Tyrians had it when their city was besieged by Alexander. The fleet of Pompey had it when his own headless trunk lay naked on the sands of Egypt, and the lord of the *sea*, could scarcely find *earth* enough for a tomb.

Your present danger is imminent; do not take the ashes of antiquity, for the exploded terrors of former times. The hideous spectre of France is before you; do not conjure up the phantom of Rome. Innumerable hosts of armed savages are preparing to assail you, and you talk of the rosary and beads. The waves of the ocean may bear the gun and bayonet on your shores, and you tremble at the scallop and saltier, and pilgrim's peaceful staff.

Your enemy had shut you out of Europe; do not shut yourselves out of Ireland, and you need little regret the loss. Nature has given these two islands an atmosphere of their own; and, happy within it, they need trouble themselves little about what passes beyond. Do not throw away the sword and buckler too, which you may have in the affections of the people of Ireland. I believe you may have them; the purchase would be great; but so would be the gain, and (it is with deep regret I speak it) I fear you cannot have them on easier terms. It must be Catholic emancipation, in the most extensive acceptation of the word, granted in the spirit of a liberal and enlightened benevolence, which anticipates wishes, outruns expectations, and while it at present grants all that is asked, looks forward to further alterations, modifications, and arrangements.

In these eventful times, in which, like the catastrophe of a great drama, though virtue is not receiving rewards, Providence seems inflicting his punishments on vice, you should hasten to make some amends for the heavy evils, which from a melancholy combination of circumstances, you have inflicted on Ireland. I would not be superstitious, yet I cannot help thinking, that something awfully retributive is working, and at the risk of being laughed at, conjure you to begin the work of reparation, while it is yet in your power. To your immortal

honour, and that of the benevolent statesman, whose loss every good man deplores, you have got rid of the abomination of the slave trade. In the hour of danger, you will not fight the worse for thinking on that. Make further expiation. Throw the burden of Irish misery (that is misery which *thinks itself so*) off your back—" BE JUST AND FEAR NOT."

On another occasion, Mr. O'Connell says, I stopped at a lone public house, about half way between Larne and Ballymena. The good man brought me a gill of whiskey. I asked for some bread and milk, and got bread, butter, and cream. The whiskey, however, did not go to loss, as my host kindly drank it for me. I asked him if he could inform me why the mountain I had lately laboured up, was called Shane's Hill. That he could, he said, and instantly gave me the following narration. Little disposition as it is thought there is in the world to give, nobody refuses to give—information or advice.

Shane, in English, John, was a *rapparee,* and lived by plundering the Scotch, for so the Presbyterians were then, and sometimes are yet called. He drove away their cattle at times, and at other times was contented with houghing them. On one of these occasions he was closely pursued, and ran up the mountain with all his might. There was then no road, and before he got half way to the top, he (which was natural enough) was exhausted, and threw himself into a *whin* ditch. The day instantly darkened, and a heavy storm of wind and rain came on, which hid his pursuers from his view. It hid not, however, a battle fought near him, between the Scotch and Irish fairies. Ideas of bloodshed are so natural to man, that the children of his imagination, like his own miserable self, are engaged in constant warfare, and the poet, whose works, next to those of Shakespeare, are an honour to his country, could not describe even heaven without a battle in it. After an obstinate resistance, the Irish fairies seemed to have the worst of the fray, which was more than Shane's patriotic feelings could bear. He took up a stone, of which certainly there are plenty, and threw it at the rabble rout. At this in-

terposition of mortal arm, with a loud shriek, the whole pageant faded, and on the middle finger of his hand which had saved his *countrymen* from destruction, Shane found a ring, on which was engraved an Irish word, of which the English is, *wish twice.* His first wish was a very natural one; he wished himself in a place of safety, and in an instant he was whirled through the air as fleetly as Alarus, the Scythian, was on the arrow given him by Apollo, and seated on a high cliff on the top of the mountain. He was in safety here, for nobody would venture to follow him. His next wish, therefore, was for plenty of whiskey to make himself comfortable. He got drunk, tumbled down, and was killed.

It is astonishing how little novelty there is even in fiction itself. The tale of one country and generation, disfigured and altered, becomes the story of another. I instantly traced the above one, to a fairy tale I have read in my younger days, called, if I am correct in my recollection, Perfect Love; or, the Loves of Prince Percinus and the Princess Irolita. How much Irish tradition disfigures it, may be seen by referring to the original. Shane, it is true, is a bad name to found a romance on, and a robber's adventures could never be made as interesting as the sorrows of a princess.

I returned my host thanks for his long story, and offered him payment for my dinner. which by this time I had finished but he would accept of nothing for it. "Na, na, surr," said he, "I wunna drink a man's whiskey, and take mammon for a drap out o' the crock—that wou'd na be decent."

About two miles from his house, I came to a place where two roads meet. I sat down until some person should come up who could inform me which of them I was to take. Though seated on the ground, I had an extensive prospect; not very fruitful in any part, and as barren as ever Churchill found Scotland in many places. It consisted of reclaimed and irreclaimable land—of scanty grass and barren heath—but not therefore useless—for while sheep grazed on the one, there was plenty of turf on the other. I continued sitting nearly an hour, without hearing a single footstep. I hardly recollect any

thing more still; the silence was even oppressive. I gradually fell into a kind of reverie. "Utrum horum," I heard from a voice behind me; I looked round, and saw a little man in black, mounted on a horse no larger than a mule. He wore a large grizzled wig and cocked hat. They formed a ludicrous contrast to his jolly face, and swollen cheeks, puffed by good cheer, like a trumpeters, or Eolus when he gave the winds vent.

"Am'nt I right," said he, clapping me familiarly on the back, "hav'nt you missed your way?"

"No," I said, "it was to avoid missing it, I remained here."

"And well you did," said he, "for I can inform you,—come along," taking hold of my coat, "this is the way."

"It may be your way," I replied, "but you will better know mine when I tell you where I am going."

"*I* can tell you," replied he; "you are going along with me to a neighbour's house, where you'll get a good dinner and plenty of whiskey into the bargain."

He then informed me he was a priest of the parish, and was going to a parishioner's, to marry his daughter to a neighbouring young man. He civilly pressed me to accompany him, apologizing for the freedom with which he had accosted me. I declined the offer; but as our road happened to be for a part of the way, the same, we travelled on together. His conversation was as grotesque, as his appearance, and was interlarded with scraps of Latin, delivered in a nasal tone, like a Frenchman. He had been educated in France, and had resided there several years.

I asked how he liked it?

"C'est un pays de dieu," he replied.

"And Ireland," said I, "did it appear strange to you, after quitting this Paradise,"

"Ireland is a Paradise," said he; "I mean will be, when the bugs have left it."

We parted at a narrow lane which led down to the house where he was going. I walked slowly forward. Had I sus-

pected what was to follow, I should have gone quicker. I had scarcely got a quarter of a mile, when a man on horseback overtook me. He took off his hat, and hoped I would condescend to eat a mouthful with him. I told him it was impossible, that the evening was advancing, and I should be very late in getting to Ballymena.

"I can get you a bed in a neighbour's house," said he. "I am sorry I cannot offer you one in my own—it will be so crowded—but if you will demean yourself so far as to make one of us, it will be a great compliment to my daughter and the bridegroom—you travelled better than a mile with the priest and it would'nt be reckoned lucky to pass by, without taking a *drap* to their healths."

I turned round, and accompanied him back to his house. The lane which led down to it was rocky and uneven—a small low brook ran along the centre—my companion made me mount his horse, lest my feet should get wet. The house was mean-looking enough, but it was cheerly illuminated by the setting sun, impatient, as a poet would say, had it been the wedding of a princess, to hide himself behind the lofty mountain beyond it. No bad emblem, it may be permitted a sober prose writer to remark, of the fugitive sunshine of a married life. I dismounted from my steed with almost as much state as a Pope (I cannot immediately recollect his name) did between two great Kings, for the bridegroom held the stirrup, and the priest the bridle, The latter welcomed me with the cordiality of an old acquaintance. "Salvo multum exoptate," said he, shaking me heartily by the hand. We then proceeded to the room where the company were assembled. The floor was earthen, but clean. A table was decently laid out for dinner. I was introduced to the bride. She was a modest-looking girl about seventeen. She was dressed in a white calico gown and ribands, and had a fan in her hand. The Priest now began the ceremony. The evening was close and the room crowded. He soon got into a violent heat, and to cool himself, took his wig off several times, wiped his head,

and replaced it. But whatever there might be uncouth in his manner, there was nothing ludicrous, either in that of the bride or her parents. The voice of nature will always find its way to the heart, and the tears which streamed down their cheeks bespoke the affection they bore each other. After the ceremony was over, the whiskey went round, and we then sat down to dinner. It was a very abundant one, not ill dressed—nor, considering the condition of the people, ill served. The priest was grand carver, grand talker too, and grand laugher. I was seated at his right hand, and if I were not comfortable it was not his fault, for no person could be more attentive. The moment dinner was over, the table was removed, and the company began dancing. The music was a fiddle and dulcimer. The dances were reels of three and of four—when one person got tired, another instantly started up in his or her place, and the best dancer was he or she who held out the longest. A singular kind of *pas seul* was performed by a *crack* dancer. A door was taken off the hinges, and laid on the floor, on which he danced in his stocking-soles. He displayed considerable activity, but there was an almost total want of grace. His principal movement consisted in rapidly and alternately raising his feet as high as his waistcoat, and when he succeeded in getting his toes a little way into the pocket, there was a universal burst of applause.

Every nation has a dance, as well as a song, peculiar to itself. Yet of the ancient Irish dance, no mention is made by any historian. Tradition, indeed, gives us a description of the Rinceadh' Fada which, it affirms, was the dance of the ancient Irish. If it were, I regret that the use of it has passed away, as it appears to have been a very elegant one. When that unfortunate monarch, James II., landed at Kinsale, his friends, who waited his arrival on the sea shore, welcomed him with the Rinceadh' Fada, the figure and execution of which delighted him exceedingly. Three persons abreast, each holding the ends of a white handkerchief, first moved forward a few paces to slow music, the rest of the dancers following, two

and two, a white handkerchief between each. Then the dance began. The music suddenly changing to brisk time, the dancers passed with a quick step under the handkerchiefs of the three in front, wheeled round in semicircles, formed a variety of pleasing and animating evolutions, interspersed at intervals with entre chants or cuts, united, and fell again into their original places behind, and paused. This it is conjectured was the dance of the Pagan Irish, during their festivals on the 1st of May and the 1st of August, when fires were lighted, and sacrifices offered on the most lofty mountains in every part of the kingdom, to Baal, or the Sun. It is likewise conjectured, that the dancers were a kind of chorus, who sung as they danced, a hymn in praise of the Deity whom they were honouring.

But to return to the scene of which I was so unexpectedly a spectator. The whiskey was handed frequently about, a few took it mixed with water, but the generality drank it plain. The women scarcely tasted it, nor did the Priest. His spirits indeed, seemed of themselves sufficiently buoyant—he drank plentifully of tea, however in which I was happy to join him. The company at length got noisy and intoxicated, and I began to find my situation unpleasant—not that I was apprehensive of the slightest danger; but coarseness is oppressive whenever it becomes familiar—vulgarity may be endured when it is modest, which drunkenness seldom is. I was, therefore, agreeably surprised, when the man of the house came and told me a gentleman wanted to speak to me at the door. It was his landlord. The poor man had run up to his house to inform him of me, and to request him to offer me a bed. The gentleman, with great civility, had come down himself, and I gladly consented to accompany him back, to the great annoyance of my friend, the Priest, who said, he should now have nobody fit to talk to. I left him singing a French song, which, in the company he was in, could not be very edifying. He had sung one or two in the course of the evening.

CHAPTER VI.

No country I ever saw, abounds more in picturesque situations than the North of Ireland. This house, Rose Hill, is in a most delightful one. It stands on the green brow of a little hill, which overlooks the town of B————, and commands an assemblage of hill and dale, of wood and water, of verdant mead and lofty mountain, the beauty of which it is impossible to describe. An extensive garden is in front, arranged in terraces. It is now in its highest perfection. Flora herself seems to preside over it, and Proserpine might come hither to gather her fairest flowers. The rose is in endless profusion, and sheds its rich fragrance on the room where I write. I love this flower; nor would I think myself solitary in a wilderness that was blooming with the rose. The name, even, and all its combinations, are beautiful, and the soft dew of heaven becomes more beatified still when it is called *la rosse*. Well might the heroine of a German drama, when with enthusiastic rapture she recalled the voice of young and mutual love, exclaim, "Methought it was the song of the nightingale; methought it was the smell of the rose." If there were a place, indeed, upon earth where care could not enter, it might be supposed to be here, and in what fairy scenes of delight does the imagination revel, when it figures to itself the happiness virtuous love might enjoy in this wilderness of wild pleasures and solitude of sweets.

The family of my hospitable entertainer, consists of his wife, of whom I shall presently speak, an old bachelor, his brother, and an unmarried daughter. I do not, however, know, that he who sees in this an Arcadia would choose her for his queen. She is a sickly-looking young woman, with a remarkably pale face, and an expression of deep melancholy. The

complexion, indeed, is rather the lividness of a corpse, than the paleness of a living being. To explain the paleness and melancholy of a female countenance, romance is always at hand, and ascribes it to love—the most powerful of all the passions—in a tale. But love is only one of the many sources of human misery, perhaps not the most powerful, and certainly not the most lasting—slight causes often produce powerful effects, and what is little romantic is sometimes very distressing. The young lady owes her ill health and pale face, to a cause that has injured the health and looks of thousands. When a growing girl she was inclining to be fat, and had besides, what she thought, a rustic floridness of countenance. She drank therefore, large quantities of vinegar, and has for ever got rid both of flesh and complexion. She has likewise contracted a kind of nervous movement of her head and shoulders, which is disagreeable. If, indeed, it were permitted me to say so of people, to whom I am indebted for so much hospitality, they seem all rather originals. In proportion as we recede from the metropolis, original characters become more common. Men who live much together lose their peculiarities. Men who live apart retain them, and acquire new ones. It is impossible to live long in a retired country, surrounded by mountains and glens, and torrents, without receiving their impression on the soul, and acquiring a disregard of the common usages and objects of life. The brother assisted the Americans in their revolution, and had the rank of captain in their service. He was wounded in the head at the battle of Princetown, and is, I understand, completely deranged whenever he drinks wine or spirits; of both of which, like most old soldiers, he is inordinately fond. His brother, on this account, therefore, seldom goes into company, and as seldom sees any, for as Doctor Johnson has remarked, nobody in Ireland visits where he cannot drink. Presbyterians, I have elsewhere remarked, are enthusiasts in favour of liberty—they bow down reluctantly to kings, lords, or bishops, and to get rid of them, particularly the two latter, as much as to better their condition, was probably the reason why so many of them emi-

grated to America. It is not wonderful, therefore, that almost universally they took part with her in her struggle for freedom, as they would consider it. Almost the entire Pennsylvania line, as it was called, were Irish Presbyterians. Of the veneration which the old gentleman, I am speaking of, bears the country for which he bled, it is difficult to form a conception. He actually shrieked at the idea, that, in what I must deem the most unfortunate struggle about again to commence between them, the mercenary slaves of England should prove a match for the free-born sons of America. I thought he would have suffocated, nor was I relieved from my apprehensions, until I saw the tears of affection roll down the poor man's furrowed cheeks, as in imagination he beheld the future greatness of his beloved adopted country. "And oh!" exclaimed he "that I may be permitted to look down a hundred years hence, and to see her greatness extending from the rising to the setting of the sun. I warrant ye her low minded enemies will be then as low laid."

His dress bespeaks his fondness, as forcibly as his conversation. He wears upwards of two dozen of silver buttons on his single-breasted blue coat and waistcoat—on each of which are engraved some great American statesman, general, or event. General Washington occupies the upper button of the coat, and Mr, Handcock, President of Congress, the same station on the waistcoat. Should (no uncommon thing with books) the history of that memorable æra be ever worn out, we may obtain a tolerable knowledge of it from this worthy veteran's habiliments, and his silver buttons may be of as much use to the future enquirer into American affairs, as ever a series of medals was to the curious in Greek or Roman antiquity: for, with a modest distrust of his own abilities, the artist has engraved on the exergue of each button the name or the event it commemorates.

I write this from a farm house, sixteen miles from Strabane It might be six hundred, the change in climate, soil and manners, is so great. In England, a man may travel much and see little. Gloucester is Lincoln, and a man or maid of Kent,

little different from a man or maid of Salop. But in the north of Ireland we have every progression of climate, soil, and manners, in the course of a few hours' riding or even walking.

The people with whom I am, are Presbyterians. They are industrious and wealthy. Their house is what a farm house ought to be, comfortable and neat, without finery or fashion. It is situated in a most dreary country, and may be said to be on the very verge of civilization in this quarter. Before my windows rise the immense mountains, which separate the county of Tyrone, from the counties of Donegal and Fermanagh. The appearance of these mountains, though gloomy and forlorn, is not uninteresting. They are covered with a sort of brown heath, interspersed with scanty green rushes, and scantier blades of green grass. They are such scenes as Ossian would love to describe, and probably many of his heroes did tread those heaths, over which the wind now passes in mournful gusts, and moves in melancholy unison with the memory of years that are gone.

For an extent of several miles forward, there are only a few cabins inhabited by the herdsmen of my friend. They are called shepherds, but *heu quantum mutati ab illis*, which the imagination pictures. This is no Arcadia. The shepherd's life in these mountains has little embellishment—little for poetry, or fancy, to exercise itself on. Here is no bright sun, no verdant mead, or daisied bank for love to repose on—no sound of pastoral music, or rustic pipe to beguile care, and gladden the sorrowing heart. Life, like the mountains which sustain it, like the wind which howls over them, like the mists which ever rest upon them, and now come slowly down in thick and drizzling rain, is solemn and lugubrious. Yet, the herdsmen have a kind of song or chaunt, as they bring their cattle home, which, were it not for the indistinct ideas one attaches to shepherds and their flocks, would not be unpleasing.

These mountains are inhabited entirely by Catholics. In ancient times they were the asylum of those unfortunate people, and they were not dispossessed of them, probably, be-

cause no other people would live in them. In these mountains therefore, we meet with a people purely Irish, professing what may be well called the Irish religion, and retaining most of the old Irish customs, usages, opinions, and prejudices. I hold long conversations with them, as I meet them on the roads, or sit with them in their own houses. Hardly a day has passed since my arrival, that I have not walked from eight to ten miles, and either address, or am addressed by every person I meet. In almost every instance, I have been impressed with their singular acuteness of intellect, and extensive information of what is passing in the world. A London tradesman could not detail the wonderful events we are daily witnessing, more correctly, and probably, would not half so energetically. An Irish peasant, like a Frenchman, speaks with every part of his body, and his arms and countenance, are as eloquent as his tongue.

I was invited to day to a christening, but was prevented from going by the weather. It has been raining the greatest part of the day, and I have passed my time, (not unpleasantly passed it,) between the kitchen and parlour of my friend's house. Parlours are pretty much the same every where. I shall, therefore, say nothing of this—I cannot, however, pass the kitchen over so quietly. I do not say that there never was a merrier one; but certainly it was a very merry, a very noisy and at the last, a very musical one.

In the forenoon it was occupied by the churn—my host makes great quantities of butter for sale; it is, therefore, an immense one, and so is the churn staff. This latter is made of the mountain ash, or rowan tree as it is commonly called. Superstition attaches to the rowan tree as many valuable properties, as it does to the witch-elm, and churn-staffs are universally made of it:

> Then no planets strike,
> No fairy takes, no witch hath power to charm,
> So hallowed and so gracious is the wood.

After the churning was finished, the servants and labourers

were set down to their dinner at the kitchen table. They had a most abundant one. It consisted of milk, butter, potatos, and greens, pounded together, and oaten cake. This is Wednesday, or else, in addition to the milk and butter, they would have had bacon, or hung beef. Wednesdays and Fridays are perpetual fasts of the church of Rome, and no luxury or dainty could tempt the poor Irish peasant to eat flesh-meat, on either of those days, or during the whole course of Lent. Admirable forbearance! when the hardship of his situation is considered, and admirable must the religion be which so strongly inculcates it. Let others talk of the doctrines of the church of Rome, I love it for its observance of Lent. What is the value of every doctrinal point of every religion in the universe, compared to that blessed one, which twice a week, and for six weeks in every year, preaches peace and good will, not to man alone, but to the birds who carol in the air, to the beasts which bound on the lawn, which preserves the turtle to his dove, the lark to his song, and saves from slaughter the helpless chicken, and the sportive lamb, to which it is the perfection of innocence to be compared.

As soon as the kitchen was cleaned up after tea, the maids sat down to their wheels; the fire was, if possible, made more blazing, and the fire-place more cleanly swept. I seated myself in a corner, and pretended to fall asleep. The maiden's song makes the hum of the wheel an instrument of wild music, and I wished that it should flow free and unconstrained.

I continued sleeping, and the spinners continued singing for several hours. To say that I was gratified, would be saying little. I was delighted. I was rivetted as it were by a spell, and regretted when a summons to supper (a day-light supper, and soon finished, as I write this after it), compelled me to waken. I do not deny, however, but that a part of the pleasure I received, may have depended on my being well acquainted with the tunes. Music is an emanation from heaven, and partakes of the unperishable nature of its origin.

It owes none of its charms to novelty, but grows more and more delightful by time and association. Yet, I think it impossible but that the simple pathos, and melancholy wildness of Irish music, even when first heard, must find their way to the heart of every person of sensibility. To me there are times when its plaintive wailings seem scarcely human, and resemble rather the noise of the wind, mournfully complaining through the vallies, or the subdued sounds of murder and woe, as fancy forms them, when in dreams we wander alone, and at midnight, on some waste heath.

I speak here of Irish music in its original state, not in the form in which Sir John Stevenson has thought proper, lately, to present it to the English world. I respect Sir John's talents as a general composer; but he appears to me, to be totally unfitted to do justice to Irish music. In almost every instance, he seems to have substituted in place of the wonderful charm of melody, the ostentation of science, and mere trick of execution. Nor has Mr. Bunting, I think, succeeded much better. They have both built on an entire wrong foundation. It is wonderful, indeed, how any men who have hearts in their bosoms, should be so far misled by the ear, as not to perceive that native Irish music would lose its charm, the instant that it was shackled by the symphony and accompaniment of modern art. It is like taking the lark from the forest, and bidding it pour forth its "wood notes wild" in a cage. Shall I give a stronger illustration? It is like putting a madman in a strait-waistcoat, when, if we wish to contemplate him in his grandeur, we must see him alone, and baying at the moon.

The wild melancholy of Irish music has been remarked by all, and attempted to be explained by many. An elegant writer attributes it to the depressing influence of the English invasion. "Sinking beneath the weight of sorrow, the bards became a prey to melancholy, and the sprightly Phrygian (to which they were before wholly inclined), gave place in all their subsequent compositions to the grave Doric, or soft Lydian measure."

This is ingenious, and probably, in a degree, (a small degree is true.) But I have doubts whether ever Irish music was essentially other than grave Doric, or soft Lydian. Melancholy is its essence, and incidents could do no more than heighten it. Climate, soil, and descent, must have combined with events to give it this character. Were I too seek another cause, I should, perhaps, find it in the great susceptibility of the passion of love in the native Irish. Some of their songs breathe the soul of tenderness and affection, and would do honour to any age or nation. It would be well for many writers of the present day, who give the debasing ravings of desire, instead of the ennobling passion of love, could they catch a portion of the pure spirit that prevades them Would it be believed that the beautiful song in the Duenna

How oft, Louisa, hast thou said

is a literal translation of an old Irish ballad, and that Mr. Sheridan even borrowed with it, the air to which it was sung?

The narrative here closes abruptly, but a sufficiency has been given to convey to our readers the estimate which Mr. O'Connell formed of the Irish character and manners.

CHAPTER VII

From those scenes of quietude and relaxation, we follow Mr. O'Connell to the great theatre of his principal actions, and where he took upon himself the enacting of a part, which required a genius of the first order, to do justice to, and which could only be accomplished by the most unflinching courage and perseverance. The Catholic Association was at this period, just bursting into life, and it will be easily perceived, that the breadth of basis on which it was founded, gave it the vast power it possessed. It was not a mere meeting of a party to urge the legislature to be liberal to that party. The millions of the Catholic people in Ireland, felt a personal interest in its transactions. It did not merely exclaim against Orange despotism; but it observed where that despotism was practised in its most minute forms, and a powerful arm was interposed to protect the peasant. The Ascendency party were met and battled with, from the government down to the Orange magistrate and constable. If any act of injustice was committed, it was no longer exposed by the mere voice of an indignant peasantry, or avenged by retaliation. A sound, able headed lawyer, versed in the technicalities of his profession, opposed it; or, if he could not do so, shewed, practically, the injustice of the law, and shame sometimes interfered for the protection of the Catholic peasant. Mr. O'Connell's vast influence has not rested alone on his powers as an orator or a lawyer. It has been part of his system, and among the chief exertions of his laborious life, to enter into the personal grievances of every Irishman, and to use all means of redressing them, either by himself or others. Hence the cottager saw a real and efficient protecting hand held out towards him, and he willingly paid, out of his hard-won earnings, a small sum to

assist in securing himself from injustice. The rent was a tax brought back to its first principles. A tax is commonly defined as a general levy over the whole country, to supply the government with the means of defending the country, and administering justice. Now, so truly was it felt, that this tax accomplished the proper end of taxation, that it was given voluntarily and to an amount which answered the purpose.

The sum raised was comparatively small at first, owing to the difficulty of framing a system for its collection, and was for some time confined chiefly to the towns. Provincial meetings, however, being appointed, in connection with the Central Association, to each of these an inspector was attached, who was empowered to appoint five assistants to each county, after having divided his country in five districts or parishes. To each parish a churchwarden was also attached, who was to be subject to the direction of the clergyman, and, besides collecting the rent, to assist "in all affairs relating to the temporal concerns of the parish and its schools." The duties of these persons, as afterwards more minutely assigned to them, on a plan suggested by Mr. O'Connell, proved of essential service to the Association. They were to collect the rent at the church door, on one Sunday every month;—to give any information they might think important to the local inspectors as to the collection of the rent;—to make monthly reports as to the numbers of freeholders registered and unregistered, with their political bias, &c.;—of the state of education in their parishes; as to any grievances; and as to the state of the parish in relation to tithes, parish cess, and county rates. The committee also strongly recommended to all persons connected with the collection of the rent, to prevent, as far as they could, the existence of White Boy disturbances, secret societies, illegal oaths, and party feuds; and "to promote peaceable and moral conduct, and universal charity and benevolence, among all classes."

The Catholic Association, established on so wide a popular basis, brought other elements within its sweep. Some of the

Aristocracy gave their names, and the Catholic priesthood gave their influence and assistance. In later days, the new method in which the Catholic claims were maintained, shewed that body in a very different aspect from what they formerly assumed. Driven for their education to foreign cloisters and the courts of despots, it was natural that, when they saw their religion persecuted after the fall of the Stuarts, they should unite its prosperity with the existence of that race, and become the supporters of its continuance, and of the continuance of its principles. They were Jacobites in politics, till oppression had almost driven political opinions from their minds, and they then retained in their doctrines a leaven of the divine right principles, which had before been their practice. It has been said, that all oppressed creeds maintain the principles of religious equality; but history shews the falsity of the statement as a general principle. Some of the sects of the Presbyterians in Scotland, in the time of their greatest persecution, looked on their sufferings, as the inflictions of a rival establishment, which they hoped to bring under in their turn; and it seems to be only where the popular voice is called into action, that the principles of religious freedom are urged. Accordingly when a new race of Catholic priests, principally educated in Ireland, saw the insolent supremacy of the English church no longer debated in small societies of clergymen, but involved in the struggle of a vast nation for freedom, they considered the religious distinctions on wider grounds. The persecutions which they, along with a whole people, had suffered for so many years, taught them a lesson, not merely on the text of one hierarchy getting the better of another, but on that of a hierarchy supported by the influence of the State, suppressing all other religious bodies. Thus they came to found their claims on the great principles of religious freedom, and were the active and energetic friends of the Association.

In the mean time in England, the ridiculous cry of no popery was raised, but unlike the period in which that mad bigot, Lord George Gordon lived, the people would not answer

to the call. Some of the hereditary legislators of the land, supported by a few of the elected, thrust themselves forward in support of the call, but they were all treated with contempt. Men laughed at their folly, and spurned at their cruel and grovelling superstition,

Why is this?

The answer is, that we are wiser and better than we were fifty years since. These Parsons are as ignorant and as vicious as their forefathers, and have preserved their bigotry and their superstition. But while they have stood still, the people have advanced. The Priests have lost their influence, and the people judge for themselves.

In the days of Lord George Gordon the people of London not only differed from the Catholics in matters of religion, but they also hated the Catholics because they did differ from them. Now the same difference exists as respects belief in religious matters, but the people have learned a wise lesson, and do not hate those who have come to conclusions opposite to their own.

Is not this a great advance in wisdom? Is it not, also, a great advance in virtue? Let us understand the *consequence* of such a forbearing state of mind, and we shall then be able to appreciate its worth, and the folly and the vice of those who seek to change it.

This forbearance towards our neighbours in matters of religion is not a state of mind the consequences of which belong only to those matters. If I have taught myself to treat with respect and due consideration the opinions of my neighbour as to religion, I have also acquired a habit, the tendency of which is to lead me to view, with the same forbearance, all his other conscientious opinions—and this habit will lead me not merely to abstain from religious, but all other Persecution. I shall have learned to hear opinions opposite to my own, without offence, and in a calm and dispassionate spirit. I shall listen, and not shut my ears to conviction—I shall believe that I am not infallible—that I may, on some occasions, and important occasions too, be in error, while my neighbour

may be in the right. Having acquired this modest and truly wise spirit, I shall be willing to hear the truth from whatever quarter it may come, and anxious to know what others may say, in order to judge of the correctness of my own conclusions.

When the Reformation commenced, people were told, by the Catholics of those days, that every sort of vice would be the result of any change of religious opinions. The old Reformers, notwithstanding these fearful denunciations, went on in their work, and thoroughly altered, in many countries, the religious belief and ceremonial of the inhabitants. The result belied the prophecies of those who had foretold vice and licentiousness as the necessary consequences of change. The various Reformed communities. as they were called, were found to be quite as moral, good, kind, and virtuous, as the Catholics—so the people began to doubt of the importance of those knotty points of controversial theology which had perplexed and excited their forefathers. Time went on, and the mass of the people grew daily more instructed, both in Catholic and Protestant countries; and as religion always takes its form and character from the state of the public mind, the religion of the various Catholic and Protestant countries grew better.—We Protestants are not the Protestants of the days of Henry VIII. and Elizabeth, neither are the Catholics the Catholics of those days. Just as the people of those days differed from their forefathers, who rushed in multitudes to Palestine, so we differ from them, who deliberately burned what they chose to call heretics, in Smithfield.

If you take two persons of the same country, who have been brought up in the same station of life, at the same period, but who are of different religions, one, for example, being a Catholic, the other a Protestant, they will be both of them, in their moral conduct, exceedingly similar. Take, for example, the women of England who happen to be Catholics, and compare them with the same classes of women who are Protestants, and you will find them equally good mothers, daughters, sisters, and wives. So with the men: the Catholics are just

as good citizens, as good husbands, fathers, brothers, as their Protestant fellow-citizens. And why is this? Because the morality by which both sects regulate their conduct is similar, and because the religion of both has been changed and purified by the improving state of the times. Philosophy has softened the asperities of the old faith. Calvin burned Servetes, King James burned the Anabaptists, because it was the approved method, in those days, of demonstrating the truth of religion. Men then proved,

> "By apostolic blows and knocks,
> Their own opinions orthodox."

Calvin, in this matter, was not a whit worse for being a Protestant, neither was he better. Persecution was the vice of his age. It was then generally believed that incorrect belief was a crime; and as each man believed that he himself was in the right, it followed of course that he ought to punish all who differed from him. So the Catholic persecuted the Protestant and the Protestant the Catholic. Both the one and the other persecuted the Jew. In short, persecution was the order of the day.

But at the present day, having got rid of our terror of the Pope, we have allowed ourselves to look more closely into the truth of the statement, *that incorrect belief is a crime.* It is now almost universally admitted that this statement is wholly false. We have learned that belief does not depend upon the will. For example, a man shews me a green parrot. I may try my utmost to make myself believe it to be a blue one, and I shall fail. Let a man put his finger into the candle and endeavour to persuade himself that he does not feel pain; when he has succeeded in this endeavour, (and I will give him permission to try as often as he pleases,) then, but not till then, he will have made some progress in proving belief to be dependent on a man's own will.

But it is of the very essence of crime to be the result of a man's intention. If, by a spasmodic action of my arm, I

should inflict a grievous wound on one standing near me, I should not have committed a crime, because *my will had nothing to do with the matter.* If, then, my belief be wholly independent of my will, there can be no criminality in it, whatever it may be. I am no more answerable for my believing that two, and two make four, than I am for believing that the room in which I am sitting is of an agreeable temperature.*

Now, the mass of the people having by experience learned that their Catholic brethren were quite as good and moral as themselves, and it having become the feeling of all who really think about the matter, that our belief is not dependent on our will, and therefore not the subject of reprobation or reward, a spirit of forbearance to one another has been the general and highly beneficial consequence.

Fifty years ago, the great body of the people of London were in the most profound ignorance. A very small portion of the labouring people could read, and what they believed respecting Catholics was the result of the old women's tales with which they were constantly regaled. It was a favourite belief of that time, for example, that all the French people wore wooden shoes, that it was the object of the French king to conquer England, and that the result of that would be, that he would make all the people wear wooden shoes. The French King and the Pope were always united in these people's minds; that is, they believed them to act together for the subjugation of our country, and the constant cry was, "*No Popery, no Wooden Shoes.*" An attempt was made to

* A hasty objector might say, that *indifference* on the subject of belief would be the result of this doctrine. Such, however, would not be the case. Belief depends upon evidence. If the evidence be correct and complete, our belief will be correct also. Now, the completeness of the evidence presented to our minds depends materially upon ourselves—and no more important duty devolves upon a man than that of seeking after evidence. To be content to hold an opinion upon a really important matter without having sought after and weighed the evidence on which it ought to rest, is a breach of a solemn obligation, and deserves severe reprobation.

relieve our Catholic brethren from some of the grievous burthens under which they laboured. Lord George Gordon raised the cry of "No Popery, no Wooden Shoes," and the people immediately fancied that they were (that is, all of them that were allowed to live) to be condemned to wear wooden shoes, while a very large portion of them were at once to be committed to the flames. Under the influence of these appalling ideas, it is not wonderful that they rose in thousands against a law which was believed to lead to such terrible consequences.

Since that time the Catholics have been emancipated; and the people have now no warmer friends in the House of Commons, than some of the Catholic members there. Having themselves been persecuted, these members are enemies of persecution. They sympathise with the people, and have shown that although a man be a Catholic, he is not thereby excluded from being liberal and honest.

These are striking facts, and have had great weight; they have assisted the change in the public mind; and will overthrow ten thousand speeches or sermons, made and preached by ten thousand interested priests.

The public now are fast tending, under the influence of this increased experience of the ways of men, to a state of mind that promises much happiness to those who are to succeed us. Already we have learned to judge of one another by the conduct we pursue, and not by the opinions we hold. We are very generally begining to understand, that religion is a subject wholly between man and his Maker, and that no one ought to seek to know the thoughts of his neighbour respecting it, and that judgment ought not to be passed by one man on another for anything that he may conscientiously believe on this important, and necessarily perplexing and difficult subject. Time was, when men were so haughty and dogmatic, that they could not bear the slightest opposition to their own opinions on matters connected with religion. Under pretence of propagating and maintaining the true faith, but in reality to punish opposition to their own imperious will, our forefathers used to

burn people for supposed differences upon points utterly unintelligible. The old disputes about the Trinity are without a meaning, and yet thousands were sacrificed in this strange contest. The cut of a cape raised furious wars between rival religious orders; and the position in which the thumb was to be placed in making the sign of the cross, kept all Christendom in combustion. Gradually, slowly, but at last completely, we have gotten rid of this dire intolerance; we have laid aside these frivolous disputes; we pursue our duties in this life in an humble and cheerful spirit—modestly asserting our own belief, and charitably listening to and forbearing towards opposing ones. We see the Jew son following the religion of his Jew father; the Mohammedan, the faith of his Mohammedan parent; and the various Christian sects also following each the belief of their parents. The Protestant father has a Protestant son; the Catholic, a Catholic son; a Quaker, a Quaker son: a Presbyterian, a Presbyterian son; and so on. This coincidence the world over teaches us humility. We see that our faith depends more upon the circumstances by which, in infancy, we are surrounded, than upon our own investigations. We see men of all these various sects and religions, believing implicitly that they alone are right, and all the remaining portions of mankind wrong. This again teaches us humility. We ourselves believe that we are right; but we know that our neighbours, equally good and wise, believe that we are wrong. This does not make us less stedfast in our faith, though it makes us diffident in censuring others. We hold on to our own belief, but are perfectly content to let others do the same Harmony, peace, good-will, kindness, active beneficence,—in short, VIRTUE is the great result. We are daily becoming wiser and better.

Is not this a cheering prospect? Have we not good reason to think well of the times in which we live, and ought we not to cherish and foster those feelings of charity and forbearance which hold out this prospect of happiness for us and for our children?

In the midst of this growing and increasing charity come

some interested priests, to blow the coals of slumbering discord. They seek to stir up dissension--to bring us back to the olden times of unchristian hate, of persecution, torture, ay and massacre too. And for what do they seek to bring about this hateful revolution? MONEY, MONEY, MONEY, is the answer. The demon of cupidity is within them, and for the wretched purpose of maintaining revenues wrung from the peasantry of Ireland, at an expense often of blood, and always of treasure wholly beyond their worth, these selfish priests, these worshippers of Baal, these idolaters of the golden calf, try to create dissension among brethren. With charity upon their lips, they preach the most furious intolerance; with pretended sanctity in their thoughts and demeanour, the narrowest of worldly interests is really their sole incentive to action. They talk of the foul doctrines of the Catholic Church, and are exhibiting in their own conduct the most damning evidence against their own.

One of them has a *cure* in Ireland: that is, he is supposed to have the care or charge of the spiritual concerns of a parish in that country. He leaves his charge: he vagabondizes up and down the country, spouting frothy and vapouring nonsense in the hope of creating confusion. The people of England with the House of Commons at their head, have decided that, if there be any ecclesiastical revenues in Ireland, over and above what is necessary for the providing for the spiritual wants of the people of the established church, that such surplus shall not, as now, be given to a set of parsons for doing nothing, but shall be employed in the instruction of the people generally. Hereupon the parsons have set up a howl:—"The church is in danger. Popery is about to be dominant. We are going to rush headlong into idolatry."—All which, being put into English, signifies, "We are about to lose what we have hitherto most unrighteously enjoyed. The money of the people is about to be employed for the benefit of the people: and we are no longer to be paid for doing nothing." This has stirred up these reverend trumpeters; this has provoked them into wrath; this has set them to

work to find out what is evil in Den's Theology About that said Theology they did not care a straw; but they fancied that the people of England were to be gulled by means of their vulgar artifice, and they therefore have dug up Den's Theology, in the hope of raising a riot. They have signally failed. The times of priestly delusion have gone by; and we may congratulate ourselves that the knavery of these runaway parsons, with the folly and knavery combined of their noble and honourable supporters, will prove impotent to mischief. The people treat them with contempt—a contempt richly deserved. The reverend buffoons are looked upon as actors hired for the occasion. Their performances are deemed both dull and wicked; so that, while they excite contempt, they succeed also in creating a universal feeling of disgust.

The different charges which were at this time brought against the Catholics, form not the least curious and interesting portion of the great controversy in which Mr. O'Connell was now engaged. The cry of the church in danger was reverberated from the shores of England, and sounded in the ears of the Protestants of Ireland, as the tocsin of their destruction. In vain did Mr. O'Connell declare on the part of the Catholic body of Ireland, that all they sought for was equal justice, as subjects of the British Crown, and that they neither wished nor intended to interfere with the established church of the kingdom; but at the same time they would not allow the established church to interfere with theirs. Not only was Mr. O'Connell at the time branded with the epithets of an incendiary, an agitator, but he was now to be accused of direct treason, inasmuch as a set of bigotted alarmists declared that in the steps which Mr. O'Connell was pursuing, he had no other view than to place a Catholic king upon the throne of these realms; and which was to be easily effected, if the Catholics were once allowed to sit in Parliament; the folly and absurdity of such an opinion are easily met by the construction of the English constitution itself, which provides against a possible conjuncture of a prince sitting on the throne, who professes the Catholic religion; and the coronation oath binds

every prince, who is, or may become our king, to refuse his consent to any law which has for its object the repeal of those statutes by which the church of England is established. It is, therefore, manifest, that as long as our king must be a Protestant, and the coronation oath a qualification of admission to the throne; so long it is utterly impossible for the Catholics to carry any measure that can repeal the laws for establishing our religion; and consequently, that can endanger its existence. To those who argue that the Catholics are jacobins and republicans, and only wish to gain admittance into Parliament, or only make the exclusion from it a topic of complaint, in order to promote their levelling projects, and the empire of their church, for such must be the inconstancy of those reasoners, that these jacobins in politics must be tyrants in religion; it must be replied, that the conduct of the Catholics belies the supposition that they approve of republican doctrines. They are as a body, notorious for their loyalty to the dynasty of the House of Hanover. Facts that every one knows, and no one can object to prove this assertion. In Ireland they adopted the cause of the Protestant ascendency in church and state, in two rebellions against the house of Hanover, which promised them the ascendency of the Catholic faith. In the American war they armed to preserve the possession of their country to Great Britain, when the same unjust policy which had always been acted upon in respect to Ireland, had roused the people of America to action, and obliged the minister to draw all the British forces out of Ireland. At the Union, we assert it, and we do so without fear of contradiction, they supported the measure when all the Protestants, with the exception of some few, who were sufficient to form a corrupt majority in Parliament, were infuriate against the measure, and the success of it was depending on the line of conduct which the Catholics would adopt. Is there any man living so great a bigot, or so great a knave, as to deny that their refusal to join their Protestant brethren, and their decision to promote the Union, are positive proofs of the loyalty of the Catholics of Ireland to the king, and the connexion with Great Britain

We do not impute disloyalty to the Protestants for adopting another line of conduct, such an imputation could have no foundation, because they were loyal to their constitution. Nor, when we mention the Catholics, do we speak of the wretched, ignorant, and semibarbarians of that body. Not that part of them, which are led by their passions to express their sentiments by the use of pikes; but that part which possess sound and liberal understanding, and express their sentiments by their decisions on all public questions. The facts of the rebellions of the Pretender, the Volunteers, and the Union, stand recorded in the page of our history, and afford the most emphatic illustration of the absurdity of those blind politicians who ruminate in the darkness of past ages, or in the illumed aberrations of the present, to asperse with odium the character and the claims of their Catholic fellow subjects. But, even if we again, for the sake of argument, admit that the Catholics under the circumstances of being, excluded from the constitution, and of their religion being insulted, are the republicans, which some persons represent them to be, and so bigotted as to require nothing short of the re-establishment of their church, would not the very boon of free admission into the possession of equal rights with their Protestant brethren, completely alter their political sentiments, and teach them the policy of tolerating the religious establishments of long standing, and held in great veneration. Will it not remove those feelings of jealousy with which, if they have any feelings, they must contrast the pomp and wealth of the Protestant Episcopacy with the poverty of their own? As it is not consistent with common sense to conclude that the relief from political disabilities will encourage the support, and repress the oppugnancy of this body, to the views and happiness of the Protestants in regard to religious matters. Having as we trust, fully supported our position, that the admission of the Catholics into Parliament, is not inconsistent with the Protestant religion, as by law established, we cannot quit the subject without animadverting on the rumours which prevailed at this time relative to the objection which the coronation oath has

suggested. From the circumstances which have occurred, either the reasons for Mr. Pitt's resignation in 1801, were unfounded, or the objection was certainly made, for Mr. Pitt was too powerful, both in Parliament and in the Cabinet, to have found reasons to *postpone his favourite measure* upon any other grounds than the objection above mentioned. If then, we may be induced to infer that such an objection was made, coming from the quarter it does, and originating in the conscientious consideration of the sacredness of an oath, it demands respect and admiration, however unfounded or injurious it may prove in the result. "The Protestant reformed religion as by law established." In discussing the nature of this oath, there must be kept in view, first the circumstances under which it was framed; and secondly, the expectation that may be said to have been formed of the conduct of his Majesty, as one of the contracting parties by Parliament as the other. For certainly, the object of the oath can best be explained by the circumstances that occasioned it; and his Majesty will act according to it, if he fulfils the expectations, which on taking it he encouraged those to entertain who received it of him. In regard to the time when the present coronation oath was first demanded of an English prince, it would appear that it was founded upon two considerations; first, the conduct of James in attempting to establish the Catholic religion in defiance of Parliament; and secondly, the preventing of the repeal of the laws for establishing the Protestant religion, should even Parliament require it. It is unnecessary to bring forward the several facts which proved the intention of James, by force of his prerogative, to establish the Catholic church. He did, in truth, actually do so in Ireland, and his public conduct in favour of the Catholics in that country, was made a charge of accusation against him as to his intentions in this. How reasonable, therefore, was it for the Parliament on this king's abdication, to frame an oath to prevent any future abuse of the royal prerogative. This view alone of the question would be sufficient to remove all doubts.

in regard to the difficulties attending the constitution of the oath, and affords a proof that the object of our ancestors was to control the king in his executive, not in his legislative authority. But supposing this explanation not to be correct, which, I am induced to think so, that it could enter into the mind of Parliament to impose a necessity on the part of the king to obstruct the will of Parliament, by refusing his assent to the bills which they might pass; in what cases, and under what circumstances, was the king to do that which was in every respect inconsistent with the principles, though not the letter of the constitution? It was only in those cases in which the laws for establishing the Protestant religion were concerned, and under those circumstances in which an attempt was apprehended of the Catholics to restore their hierarchy. Would then, the assent of his Majesty to a bill for admitting the Catholics to sit in Parliament, either be a repeal directly or indirectly of those laws or any of them by which the church of England is established? Or do there exist any reasons for suspecting in times like those, when the Pope, like a beggar in a pass-cart, was transferred from St. Peter's to Notre Dame, to anoint a Catholic usurper, that any attempt was likely to be made, or could be successful on the part of the Catholics to establish their religion? Whether, therefore, the oath is considered as it binds the king as to his executive or legislative character, it is equally manifest that his act of assenting to the admission of the Catholic claims would not be in the least degree derogatory with the interest, or even the letter of it. Let us now examine this oath according to the established principles of moral philosophy. It is laid down, that in cases of promise between two parties, the person who promises fulfils his duty, if he does every thing that is requisite to meet the expectations which his engagement has excited. The parties to the coronation oath are the King and the Parliament. Did then the Parliament expect that the king in taking the oath, bound himself not to grant to his Catholic subjects the franchise of sitting in Parliament? Or, did the king him-

self feel that his engagements were to this extent? It is very evident, that neither the king intended to keep them excluded, nor that the Parliament expected that he had undertaken to do so. The concessions already made to the Catholics in Ireland, prove that the difficulties which have flowed from the oath are of modern date. But, even if the king had specifically promised Parliament at their request, not to make concessions to the Catholics, this promise would be absolved, if Parliament themselves proposed the concessions for his Majesty's ratification. Thus, in whatever point of view this oath is contemplated, whether as affecting the prerogative of the king as independent of parliament, or his prerogative as acting as a component part of the legislature; or whether, as having excited expectations of a particularly cogent description, it has the appearance of being of such a nature as not to form any reasonable impediment to the wished-for and necessary measure of Catholic emancipation.

It is one of the most remarkable characteristics of the late struggle of the Raman Catholics of Ireland, that the most scrupulous obedience to the laws was insisted on by the leaders and simultaneously yielded. When an act of Parliament, then, denounced the Catholic Association, that body, powerful as it was in its undisputed command over millons, immediately yielded to the law, without any attempt at resistance. But it sunk only to rise again in another form. Its great leader saw that, so long as the elements of it existed—so long as seven millions were oppressed, and knew how their oppressions might be removed—that, crush as the legislature might, one after another, the various forms which these elements might assume, they had still within them the principles of re-arrangement—they could not be extinguished. The object of the Association had been, to let the grievances of the Catholics be heard; and, if the people once learned the art of telling them, how were they to be prevented from doing so in some form or other? These grievances were connected with everything. In their connection with the legislature, in their connection with religion, in their commerce, in their farms, in their families

there were grievances. They could not read a newspaper—they could not enter a court-room—they could not perform their devotions on the Sabbath—they could not even plant a field of potatos, without being reminded of their grievances: and to have met every form in which they could have complained of any of them, would have required an act larger than all the rest of the statute book.

Accordingly, an aggregate meeting of Catholic gentlemen was held on the 13th of July 1825, at which, a committee of twenty-one was appointed, to report "Whether there can be framed, without any violation of the existing laws, a permanent body to assist in the conducting or management of such portion of Catholic affairs as it may be, by law, permitted to have managed, without resorting to the too frequent holding of aggregate meetings, and, in particular, without in any way infringing on a recent statute." The principle on which any plan should be formed was, that a permanent Association should still continue to exist, for the purpose of managing such matters connected with the interest of the Catholics as the law permitted; and that the duty of petitioning for relief, or obtaining legal redress for Roman Catholics, should be left to separate aggregate meetings, held in such a manner as not to infringe the terms of the act. A plan for this purpose was drawn out by Mr. O'Connell; and the committee returned him "their marked thanks for the undiminished zeal and talent" with which he performed this duty, According to this plan, the new Association was to contain men of all religious professions. Few, however, but Catholics actually attended; and it was afterwards thought expedient that the liberal Protestants and the Catholics should not coalesce, but carry on their exertions separately. No member was to take an oath. The purposes prohibited by the late Act were speedily disclaimed. One of the most remarkable features of the plan was—"The new Catholic Association can and may be formed merely for the purpose of public and private charity, and such other purposes as are not prohibited by the said statutes of the 6th Geo. IV. chap. 4th." The different purposes of the new Associa-

tion were then distinguished:—The promotion of public peace and tranquillity; the encouragement and extension of "a liberal, enlightened, and religious" system of education; to ascertain the number of the population in Ireland, the relative proportions which the professors of the different faiths bore to each other, and the number of children in each in the course of education; to erect suitable Roman Catholic churches, &c.; to encourage a liberal and enlightened press, favourable to the claims of the Catholics; to prepare a detailed account of the calumnies against Roman Catholics, contained in the petitions recently presented to Parliament, and publish confutations of them. Every person paying £1 was entitled to become a member. Such were the rules of the new Catholic Association; but a more important feature still, in the report, is the accomplished advice they gave to others, to do what "that most unconstitutional statute," as they termed it, prohibited them from doing themselves. They told the Catholics, all through the country, that it was "incumbent on them to adopt other means, altogether unconnected with the new Association, of preparing and presenting petitions to Parliament, and also for preventing and punishing acts of individual oppression, and of party insolence." It was recommended by the Association, that a petition should be presented from every parish in Ireland; to facilitate the preparation of these petitions, that each county should hold general or aggregate meetings, unconnected with the Association, which might be continued, even by the terms of the act, fourteen days. The Association recommended the repeal of the act suppressing itself, as a paramount object of importance in the aggregate meetings.

The limitation of meetings to a period of fourteen days, seems to have been considered a happy suggestion on the part of the legislature. It gave a hint to throw the power of the Association over the whole country, instead of confining it to Dublin; and the hint was obeyed. "Convened every day," says Monsieur Duvergier, the French traveller, in the year 1826, "by the call of a free press, they are in motion, at this moment, over the face of the entire country. There is not a

county, nor a city, nor a borough, nor a parish, where there are not meetings to address petitions to the new Parliament: to return votes of thanks to the forty-shilling freeholders; and, what is still more to the purpose, to offer assistance and support to those very men whom their masters have, in consequence of their late conduct, unmercifully ejected from their holdings. O'Connell and Shiel fly from province to province, from meeting to meeting. Everywhere they are received with enthusiasm; everywhere their eloquent declamations rouse, in the souls of the old Milesians, the stern sense of their strength and their degradation."

The new system, so happily suggested by act of Parliament, raised emulation through the whole country; and every part maintained a competition for the honour of the first provincial meeting. It was assigned to Waterford. "The first days of the week," says Mr. Wyse, "were employed in making necessary arrangements for the public meeting; the committees every hour increased, by new accessions from the most remote parts of the province; the Kerry, the Clare, the Limerick attendants, (they might be almost called deputies,) came clustering in. The meeting was held the third day, in the Catholic chapel of the city. It is one of the most imposing Catholic structures in Ireland. The whole of the great area of the building was densely crowded with the population from the country. Immediately before the altar rose the platform, on which were assembled Catholics and Protestants, indiscriminately, around the chair. It was a glorious morning—and the spirit of the people in full unison with the joyousness of the season, and still fresh with the late triumph, burst forth in a tumult of enthusiasm, which soon spread its contagion to the most indifferent heart in that vast assembly. Several speeches had been heard with more than ordinary marks of approbation, when Mr. O'Connell at last appeared on the platform." A critical examination of this speech, as printed, gives a splendid specimen of high-toned, bold, emphatic, English diction. It lays before us, at the same time, a state of the grievances of Ireland, accurately and logically detailed,

and adorned with those bursts of impassioned feeling with which the English language is seldom furnished, except from Irish oratory. Between these two qualifications, it appears, to the eye of the critic, an inexpressibly happy mixture of all that the most fastidious and instructed taste could wish, and all that can stir the uneducated mind, open to the impression of high feelings. It runs over a series of historical incidents, dictated by vast reading, which the philosopher must allow to be justly applied, and which are so told that the untaught peasant can appreciate their truth. But the consideration of the speech itself, as a literary production, is nothing. The time, the place, the circumstances—the man who uttered the speech, and the soul of expression which he was capable of throwing into his words—must be summoned before the mind before it can have a shadowy view of the effect of such an address on a vast meeting of men, subject, for a long train of well-remembered years, to an accumulation of oppression and contempt. "It is not easy to forget," says Mr. Wyse, "the acclamations which followed his magnificent harangue. It is on such occasions that Mr. O'Connell is truly eloquent; but on this occasion he far exceeded himself. There broke out a clamour of joy which had no words, but escaped in rude gestures from every man below him, when, appealing in bold and awful language to the young blood of Ireland on the one side, and to the infatuated government of the country on the other, he threw himself as a mediator between both, and implored them, ere another generation, rushing impetuously into the ranks of present men, should render negotiation, as in America, impossible—to rouse from their slumber in haste,—to extend the hand ere it was too late—and to save, rather than to have to rescue, through carnage, perhaps, and conflagration, their common country." We give an extract or two from this celebrated speech :—

"I say it not in menace; but I ask it in the tone of firmness—Was it ever deemed safe to oppress seven millions? Let the question be ruminated upon. I put it not in menace, but I put it in sober solemnity to the British ministry and the

British people. Let them not say, that Irish misery can be traced to Irish causes. Let them not say, that the evils of the land are to be attributed to Irishmen. They might say so. indeed, if the Parliament were Irish, and if the government of the country were in the hands of Irishmen. If the Irish governed themselves, then, indeed, would it be just to attribute to them the evils that pervade this country; but it is equally just, at first, to attribute to England those miseries which affright the people of Ireland. It is just to do so; because England, for more than six hundred years, has governed and ruled the destinies of Ireland. For six hundred years she has misgoverned Ireland. It is enough to make the hardest heart weep tears of blood, to think of the wretchedness of our native land, and to behold the determination, on the part of England, to continue the present system. May, Sir, I be permitted, in melancholy solemnity, to ask the reason why this system should be continued? Can they say, we refuse to be conciliated? Can they pretend to assert that we have shewn no disposition to meet, in a cordial and conciliatory spirit, British kindness? Every such pretext is vain. I myself was one of those who, last year, quitted our homes and occupations, to prostrate ourselves and our country before the bar of British justice. We offered all that we could offer—we offered more than I would now offer, or would now consent to accept emancipation upon the terms of giving: and how were we received? Why, we were treated with insult and scorn, and blasphemous derision. Then issued a voice from the very footsteps of the throne, and it attested the Deity, that the Irish should for ever continue slaves,. The pliant Peel readily bowed before that voice—the vacillating Liverpool cringed beneath its sound—whilst the money-loving Eldon chinked his bags of gold, and rejoiced that bigotry could be still discounted into more pelf. There was a period of similar importance in the history of England:—Franklin—Benjamin Franklin—with more of talent than any of us could boast, but with an equally sincere desire of combining America with England, and perpetuating the connection—the

virtuous Franklin proffered the dutiful submission of the hearts and hands of America to be devoted to the service of England. And what did he require? A mere act of justice. How was he received? With derision, contempt, and insult. England refused to be just. She laughed to scorn the force of America. She even boasted that, by the night-watch of a single parish, all the armed power of America could be put down. It was deemed safe to oppress: and oppression was therefore continued. The Americans forgot their feuds, banished their domestic dissensions, combined in patriotic determination, rushed to arms, and—oh! may Heaven be thanked for it!—prostrated the proud standard of proud England in the dust, and discomfited her, with all her chivalry.

"Our deputation, last year, was blamed for our over-readiness to conciliate—but what did that prove?—our earnest anxiety to promote the security and happiness of both countries, even by sacrificing ourselves.

"Popularity is said to be my idol. It is true; I do love popularity, but I was ready to sacrifice it when I saw a prospect that, by making that sacrifice, I could combine Ireland and England into one common interest, and lay, what I deemed, a sure foundation for securing the happiness of both. But we, too, were rejected—we, too, were scorned. The blasphemous oath was interposed between Ireland and her rights. Is this a safe course to pursue? I ask, is it prudent? Is it wise? They speculate upon the weakness of Ireland—we are more than seven millions. They speculate upon our attachment to British connection; and that speculation is not vain, so far as it refers to us who have grown into maturer years, under impressions, and with opinions favourable to that connection. They speculate upon our horror of blood and anarchy, of rebellion and crime; and they are right in that speculation. But let them not mistake our constitutional and conscientious submission to legal authority, into any unwillingness and unfitness to exert all our faculties, mental and corporeal, upon any fitting and constitutional occasion, in the

vindication of our natural rights as men, and our just privileges as subjects. The conflict in his country's cause has, in itself, no terror for the Irishman. The maturity of life has reached me in the struggle, but yet my step is firm, and my arm, too, is not unnerved; so that I should not feel any personal deficiency to deter me from joining in the battle's roar in the cause of my country. But I have been bred in the doctrines of dutiful submission to the constitution; and those who have acted with me, and have grown into age around me, have participated in the same sentiments. The speculation is, therefore, so far safe, which reckons on our submission. But I am not without my perception of passing events and instigating causes. Yes, coming events do cast their shadows; and I behold many circumstances which enable me to anticipate the future history of Ireland. The rising generation is not as submissive as their fathers were. It may not be equally safe to treat us ill, as it is to ill-treat them. The rising youth of Ireland appear to have their pulses beating with better blood; and I have remarked, more than once, that, while I myself was tranquil, the eye of youth, scarce reached beyond childhood, was glistening with indignation at the history of the six centuries of misgovernment which this country has endured. This fiery youth, with hotter blood boiling in their veins, is accumulating fast around us. Whilst we of the old day live, we can, and will restrain them; but, when the grave has closed upon those who have been nurtured in submission, and trained in the toils of patient entreaty and constitutional prayer—when we are removed—oh! may England—for her own sake, for the sake of humanity, and, above all, to turn off the evils which even a successful struggle must inflict upon Ireland—may she learn to be wise in time, and to be just, while she may be so with dignity and pride! May she never force—for she cannot otherwise do it—Ireland to imitate America! * *

"Perhaps it is not generally known—indeed, I believe it is almost entirely forgotten—that Wales was once the Ireland

of the English Government. Listen to what the evil was, and how simple and efficacious was the remedy. I read the words of Burke:—'My next example is Wales. This country was said to be reduced by Henry the Third—it was said more truly to be so by Edward the First; but, though then conquered, it was not looked upon as any part of the realm of England. The old constitution, whatever that might have been, was destroyed, and no good one was substituted in its place.'—(Oh, how like Ireland!) 'The care of that track was put into the hands of Lords Marchers'—(Primate Boulter says, that in Ireland they were called Lords Adventurers)—'a form of government of a very singular kind—a strange heterogeneous monster—something between hostility and government.' [Here Mr. O'Connell laid down the book for a few moments.] I differ from Mr. Burke in many political opinions, but how sincerely do I thank him for the characteristic force of his language! Here, indeed, is the true description of the Irish government. Here is an epitome of Irish history. We have it in one short sentence. I love to repeat it—'A strange heterogeneous monster—something between hostility and government.' I resume my quotation:—

The manners of the Welsh nation followed the genius of the government—the people were ferocious'—(they say we are so); 'restive'—(we certainly are so); 'savage'—(they accuse us of being so; they treat us like brutes, and they are astonished, forsooth, that we do not meet that treatment with the grace of French dancing-masters;) 'and uncultivated. Uncultivated! Why, they have passed Acts of Parliament to make it a felony to educate Catholics at home, and a *premunire* for Catholics to be educated abroad; and, then, there have been beings found among the English, base enough to accuse us of being uncultivated; who—but I have interrupted myself. I'll read the paragraph without breach or stop:—'The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive, savage, and uncultivated—sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of

England in perpetual alarm. Benefits from it to the State there was none. Wales was only known to England by incursion and invasion.' (Substitute turbulence and insurrection, and what have you, but the sometimes composed, never pacified state of Ireland?) I resume Burke's speech:—'Sir, during that state of things, Parliament was not idle; they attempted to subdue the fierce spirit of the Welsh, by all sorts of vigorous laws.'—(See what servile imitators the Peels, Eldons, and Liverpools of the present day are!) 'They prohibited, by statute, the sending all sorts of arms into Wales.'—(Liverpool has done the same over and over again to Ireland.) 'They disarmed the Welsh by statute.'—(Peel has done the same, with equal virulence, to Ireland.) 'They made an act to drag offenders into England from Wales, for trial.'—(Judge Johnson's case proves that Lord Eldon has sanctioned an act of similar atrocity.) Mark I pray you, the next paragraph:—'By another act, where one of the parties was an Englishman, they ordained that his trial should be always by English.'—(There is an instance of horrible English injustice for you!) But, observe, such another act, and, if possible, an act of greater atrocity is in force to this hour in Ireland. For it is a law to this moment, that, in all issues under the Popery laws—and nine-tenths of all the landed property in Ireland are so at this very hour; I repeat it, (and I may say it deliberately, as a lawyer,) that nine parts, out of ten, are still affected by the Popery laws—it is enacted, that in all such issues, the juries shall be composed solely of known Protestants. It is not enough that the Protestants take the oath, and swear that the sacrifice of the mass is impious and idolatrous. That will not do. The Protestant, to be a juror, must be free of all possible submission to Popery. He must be in the words of the law, a known—that is, an undoubted—ay, that is, an Orange Protestant. Mr. Peel's glory, is his Jury Bill. What a mockery in a man who opposes any relaxation of the law! I return to Burke:—'To find what the effect of these prohibitory statutes was, and to those precedents—all this while, Wales rid this kingdom like an

incubus; that it was an unprofitable and oppressive burden, and that an Englishman, travelling in that country, could not get six yards from the road without being murdered.' The march of the human mind is slow, Sir; it was not until after two hundred years, discovered that, by an eternal law, Providence has decreed vexation to violence, and poverty to rapine. Eldon, Liverpool, and Peel have not discovered it to the present hour; but it was discovered in England in the reign of Henry the Eighth; accordingly in the 27th year of Henry the Eighth a statute was passed, giving Wales all we ask—a share in the British constitution. I read from Burke the result—would that all England would listen!—'From the moment, as by a charm, the tumult subsided; obedience was restored; peace, order, and civilization followed in the train of liberty. When the day-star of the English constitution had arisen in their hearts, all was harmony within and without.' Such is the first case I cite—such is the first fact I adduce to establish my assertion, that tranquillity can be produced by a mere act of justice. The next instance is also given by Burke; it is the county Palatine of Chester. There the same evils existed, while the inhabitants were kept out of the pale of the British constitution. There the same remedy, an act of justice, was applied, and the same traquillity and good order ensued.

"The next instance given by Burke is, the county Palatine of Durham. That county had also long lain out of the pale of free legislation; and it was, during all that time, a scene of turbulence, disorder, and crime. The same identical remedy was applied—the privileges of the British Constitution were participated by the people of Durham, and all was peace, and harmony, and tranquillity. Having cited these cases from Burke, I proceed to the well-known story of Scotland. For a century, the English Government endeavoured to subdue the stubborn attachment of the Scotch to Presbyterianism; and with the point of the bayonet to enforce, as they have attempted in Ireland, the English Act of Parliament, to fashion Christianity. They enacted pains and penalties, and enforced confiscations; erected gibbets, and made the scaffold flow with

human blood. But did they convert the Scotch Presbyterians? No; they were just as unsuccessful with them as they then were, and have been since, with the Irish Catholics; and, like the Irish, the Scotch only clung the more firmly to their religion, because it was persecuted by English injustice. The Scotch, indeed, did not put up with the system of persecution as patiently as the Irish had done. They broke out often into open and avowed rebellion. They brought into the field horse and foot; and, when they could get it, some artillery They were often defeated, but they were never subdued. Scotland was then what Ireland is now—the weakness of England. Domestic dissension in England did all the time look to the aid of Scotch malcontents, as perhaps some turbulent agitators in England, at this moment, may cast an eye upon Irish dissatisfaction; and, certainly, at that period, the foreign foes of the British Government availed themselves of the weakness induced by the unsettled state of Scotland, as they now speculate upon the apparently composed, but unpacified state of Ireland. At length, however, the proper remedy was applied to Scotland, the persecution ceased, the Scotch attained, not mere toleration for their creed (what we require,) but its actual establishment in the State, which we disclaim. But what were the effects of justice and conciliation to Scotland? She became tranquil, and peaceable, and industrious; an ornament to British literature—the best strength of the British throne, and a main pillar of British power and independence."

In the most unruly portions of Ireland, the provincial meetings were held without danger; and the good order and regularity displayed justified the confidence placed in the common people. They had learned how to transact public business, and felt a pride and self-satisfaction in the consciousness of their conducting these affairs in that business-like manner which is frequently arrogated, but sometimes forgotten, in higher places.

"The people," says Mr. Murphy, "rose at the order of the Association. Never was there seen a more majestic movement. In Waterford, South Monaghan, Westmeath, they

walked over the Tories. But what was the victory itself, compared to the sobriety, order, enthusiasm, and devotion that effected it? Persecution began. It was schocking that tenants should not perjure themselves—unheard of, that they should have a country—monstrous, that they should think of their religion! The bishops, who knew that the gospel was preached to the rich alone, were astounded; fulminations, lay, and clerical—the latter, however, of a much finer scarlet—went forth; but the Association existed. The new Rent was established. If a landlord was deaf to decency and humanity, his sensations were assisted by a punch from the halberd of the law. Physicians, very skilful in their professions, applied the stethoscope to the state of his property; the oppressed breathing, which mortgages had induced, was explored, and an antiphlogistic regimen instantly adopted. They bought up the encumbrances on his property; and, if he attempted to persecute his tenantry for their votes, soon compelled him to listen to reason. If all was ineffectual, the individual himself was alone to blame, that the cries of a wife and houseless children taught that law of 'wild justice,' with which continued oppressions have embued the Irish peasant."

Meanwhile, the census, shewing the numbers of persons of the various religious persuasions in Ireland, which had been one of the objects of the new Association, proceeded. It was an extremely arduous task. To a government possessed of all the authoritative means of demanding information, and the wealth to facilitate every inquiry, a census of the people is no trifling effort; when we consider that it was done by a society, not only without the aid of the law, but impeded by it, we have, in the extent to which it was carried, one of the most wonderful achievements in political organization which has ever been accomplished. The plan was suggested by Mr Sheil, and the chief portion of the labour was undertaken by the celebrated Dr Kelly, the Catholic Bishop of Waterford.

"It was about this time," says Dr Murphy, "that America sent her voice over the waters. A meeting had been held at New York, Judge Swanton in the chair, 'to give,' as the

resolution stated, 'efficient expression to their sympathy for the oppressed, and indignation at the conduct of the oppressors.' A co-operating Association, on the model of the Irish, was formed, and a Rent put into process of collection. Similar meetings were held at Washington, Augusta, and Boston. Some time after, it was stated in one of the addresses, that permanent Boards were to be formed in every village; and that a general Congress, from all parts of the Union, was to to meet at Washington to devise the best means of assisting the Irish people. The spirit was not confined to the United States. It fell on Canada. Meetings were held in Nova Scotia, Newfoundland, &c.; and Rent, the great test of sympathy, transmitted from those colonies nearer home. On the Continent, Ireland excited an amazing interest. The spectacle, in itself so glorious, of a nation centending for its rights, had also something extraordinary in the character of the means. Men, the most unreflecting, were surprised by the novelty. They had a confused, obscure feeling of the importance of the discovery; but persons of mind wide enough to embrace the subject, were startled at the new power thus introduced into the political world, and sat down to study its elements and results. The debates of the Association were translated into Italian and German; while the French, not contented with hearing came to see, with their own eyes, the working of such a system. The formation of a heart in Ireland, shooting veins and arteries to the smallest member, furnished with all the apparatus of nerves, viscera, and absorbents, and performing its functions with the regularity of health, was a phenomenon to which, if all the circumstances be taken into consideration, no equal can be found in the physiology of society."

The enthusiasm with which the cause of Ireland was adopted abroad, was now one of the most startling, and, to the government, most alarming manifestations connected with it. In the first place, this was not a political movement suggested by men having a particular design before them, good or bad. It was the natural expression of the human heart, against oppres-

sion—oppression in the abstract, exhibited in the case of an island with which the persons themselves had no connection, and in which they had no personal interest. The ladies of Maryland, with true feminine fervour, addressed their sisters throughout the United States, in such terms as—"It shall never be said that women, in whose hearts 'tender compassion ever loves to dwell,' shall remain deaf to the voice of misfortune in its most distressing forms! Shall we, dwelling in this region of happiness and peace, forget our fellow-creatures in a foreign land, bound to us all by the common laws of nature, the children of the same Almighty Father, whom we are all enjoined to assist by the holy precept of the same divine Redeemer, 'to love our neighbours as ourselves.'" But the abstract sympathies of foreigners were merely manifestations which would put the government to shame, and *that* it had been too much accustomed to; other and more serious arguments were, from time to time, wafted from abroad. Foreigners could not see any law of nature which bound the two islands together, and expressed a wonder that Ireland should submit to the tyranny of its assumed ally. As men are ignorant, until told, of the light their conduct will assume to the world, so was the British Government. When the Autocrat issued his proclamation against the gallant effort of the Poles, he called it "an unnatural rebellion;" and, very probably, he so termed it in all sincerity, and was extremely surprised when he saw a totally different view of it taken in other places. With the same complacency did the British Government view its method of "doing what it pleased with its own," until it heard Ireland called on to defend itself, and felt that, to be the rival of Russia, was not a pleasing eminence—at least, for a nation boasting of its freedom, not a convenient one.

"These testimonies naturally gave an impetus to the Association. The rent increased, and drew, in the innumerable channels of its course, a more intense sympathy, and a more prompt, as well as regular organization. Meetings, attended

with the same result, grew in number and spirit. The crown sat easier on the brows of the Association. With much coolness and method, it began to consolidate its authority. A system of national education was established. The collection of the revenue was better provided for. An admirable plan, simple but effectual, charged with that responsibility two Catholic churchwardens; and, to give uniformity to the system of internal government, one was to be elected by the parish meeting in the new vestry—the other was to be appointed by the parish priest, whose masculine understanding, discretion and patriotism, might well be intrusted with the power. Liberal and election clubs were also spread through the country; but, to exhibit, in a striking manner, the wonderful unity of feeling, the simultaneous meetings were commanded. It now became evident to all men, that emancipation must pass, or the government would be, even in name, ejected from Ireland. Sober persons were astonished at the apathy of the Ministry; and loud indignation would soon have followed; for who could contemplate risking everything dear to him, in order to uphold the continued oppression of the kingdom by a contemptible faction. Lord Anglesey, a man of ancient generosity of soul—more like a character of chivalry, than a modern soldier—was unceasing in his representations; and he was strongly seconded by every person who witnessed, with his own eyes, the state of affairs—particularly by military men, who transmitted their profound astonishment at the organization, order, peace, and spirit of the people. It was discovered that the obedience of the army reeled. Great numbers were Catholics—all were men—and continued discussion had completely shaken their minds. They had no taste to butcher persons whose sole offence was that they professed the religion held by many of themselves. To blunt their bayonets in the hearts of men struggling for their rights; seemed to brave soldiers, base and cruel. The next great step was the formation of Brunswick Clubs, by which the country was divided into two large, though utterly disproportioned battalions. But

to add to the effect of this, so shameless and naked was the lust for blood displayed at those meetings, particularly by clergymen of the established church, that they seemed to have been made drunk by the Association, with some sanguinary mixture, and turned out on the platform, to disgust the world with the cause which they vomited out, in raw and undigested pieces, into the bosom of public decency. Something similar to this, but much weaker in effect, was lately produced by the denunciations of dandy officers:—"Let the Lords kick out the Reform Bill, and leave us to deal with the people—let us at the Unions." Prudent persons heard this language with misgiving as to the effect; humane persons with aversion; and brave men with contempt. The result was exactly opposite; and these bullyings were certainly then, as they always will be, when addressed to such a nation as the British, the most direct means of advancing reform. Lord Plunket said, in the House of Lords, with perfect truth, that the Brunswick Clubs were the fast friends of emancipation.

It is seldom that a country recovers from a state of subjection arising from foreign aggression, unless that, throughout the long period of its adversity, some line of demarcation has been maintained between the conquered and their conquerors, by which the assimilation was prevented. To this cause may be attributed the preservation of the desire for national independence amongst the Irish, which even the barbarous rigour of the penal laws failed to subdue. The disfranchised Catholic regarded the statutes that degraded him as the bonds by which the Protestant invader held his country in servitude; and thus the sense of wrong that he suffered for conscience sake, was aggravated by the recollection of the foreign hand by which it was inflicted. The operation of the penal laws, too, by maintaining the barriers that divided the two classes from each other, tended effectually to preserve and augment this renovating spirit. The power of the one degenerated in its ascendance, as the strength of the other increased in its prostration; but never, during the lapse of time that preceded the crisis of

1829, did the expectation of ultimate independence yield to despair.

It is to the difference of their faith from that of their conquerors, that the modern Greeks are indebted for their liberation. "They had, luckily," said Moore, in his *Life of Lord Byron*, "in a political as well as religious point of view, preserved that sacred line of distinction between themselves and their conquerors, which a fond fidelity to an ancient church alone could have maintained for them; and thus kept holily in reserve against the hour of struggle, that most stirring of all the excitements to which freedom can appeal, when she points to her flame, rising out of the censor of religion."

"I remember," says one of the most eminent writers of the present day, "in the spring of 1824, having gone to the chapel house of St. Michael's and John's to see a collection of the portraits of those senators who had supported the claims of the Catholics in the Irish and Imperial Parliaments. The portraits were mostly engravings, of various styles and dimensions, taken from original paintings. This fancy to collect them was conceived and put into execution by Mr. James Edward Devereux of the county of Wexford, one of the delegates of 1793. The custom of having engravings made from portraits of distinguished persons, painted by Lawrence, enabled him to procure a number of likenesses; but the majority seemed to consist of prints which were intended to illustrate periodicals and other works. When the indefatigable collector had arranged his portraits, he deposited them in two large rooms belonging to the chapel-house, where they remained several years, until they were finally transmitted to the guardianship of the Nuns of Ranelagh Convent, in whose custody I believe they still remain. I looked over the portraits of the numerous emancipators with that degree of interest which the individual fame of each might awaken, and but one name from amongst the many that encountered, yet retains a place in my recollection. It was a fine mezzotinto print, taken from *Westall's* celebrated portrait , and appended to which was the following intimation:

"*Our friend Lord Byron.*" I gazed on the portrait with an interest by the recent tidings of his death which had reached Dublin a few days before. The person who had distributed the pictures on the walls inadvertently placed the portrait of the noble poet in a situation which somewhat resembled the gloom and retirement that he himself was wont to prefer.

It was hung up in the shade of a recess where the light was scarcely strong enough to distinguish the likeness, and where scarcely more than the deep shades of his features were discernible. "Yes!" said I, "truly may they designate him '*our friend.*' He did not avail himself of our cause merely for the showy themes which it afforded, nor did he give his vote for our enfranchisement in the hope of its futility, like many of those amongst whom he is here confounded." It was from his mind that O'Connell caught and adopted the talismanic motto—"Hereditary bondsmen, know ye not, who would be free, themselves must strike the blow!" and although it was applied to the prostrate Greeks, it served to liberate the disfranchised Irish.

The second speech ever made by Lord Byron in the House of Peers was upon the Catholic cause; it is peculiarly characteristic of his disposition; full of bitterness and invective in its allusions to the opponents of the measure, and occasionally digressing into argument, only to strengthen the spirit of satire. He also contrived to combine in his detail almost every wrong which Ireland endured. "Suppose," said he, "the Irish were contented under their disabilities; suppose them capable of such a bull as not to desire deliverance, ought we not to wish for it ourselves? Have we nothing to gain by their emancipation? What resources have been wasted—what talents have been lost, by the selfish system of exclusion? You already know the value of Irish aid—at this moment the defence of England is entrusted to the Irish militia—at this moment, while the starving people are rising in the fierceness of despair, the Irish are faithful to their trust. But till equal energy is imparted throughout, by the extension of freedom, you cannot enjoy the full benefit of

the strength which you are glad to interpose between you and destruction. Ireland has done much, but will do more. At this moment, the only triumph obtained, through long years of continental disaster, has been achieved by an Irish General: it is true, he is not a Catholic; had he been so, we should have been deprived of his exertions; but, I presume, no one will assert that his religion would have impaired his talents, or diminished his patriotism; though in that case he must have conquered in the ranks, for he never could have commanded an army."

This language was addressed to the English Peers seventeen years before they were compelled to adopt its principle by the "Irish General" mentioned. Lord Byron's definition of the Union, in the same speech, is powerfully impressive—"Adieu," said he "to that union, so called, as '*Lucus a non lucendo*'—a union from never uniting, which in its first operation gave a death-blow to the independence of Ireland, and in its last, may be the cause of her eternal separation from this country. If it must be called a union, it is the union of the shark with his prey; the spoiler swallows up his victim, and thus they become one and indivisible. Thus has Great Britian swallowed up the Parliament—the constitution—the independence of Ireland, and refuses to disgorge even a single privilege, although for the relief of her swollen and distempered body politic."

Lord Byron's "Irish Avatar" contains perhaps some of the strongest satire that even his pen ever directed against any class of people in Europe. He opened upon the Irish all the violence of his displeasure, for their forgetfulness of their own wrongs, betrayed in the reception of George the Fourth, in 1821. It would require considerable space to explain the policy that actuated Mr. O'Connell in procuring for the royal visiter the homage that was conceded to him by the Catholics upon that occasion If the welcome which he met was too warm to become the injured people by whom it was bestowed, the fierce indignation created by the subsequent conduct of the cold-blooded object upon whom it was so undeservedly lavished

was most favourable to the success of the efforts which were made to rouse the Catholics to exertion in 1823. The Avatar contains merciless reproaches upon the Irish people for the adulation with which they hailed the approach of the King, and also betrays a very partial judgment upon the point at issue. Lord Byron, however, did not understand the nature of Irish politics, and was but imperfectly acquainted with our history when he ventured to adopt Grattan as a standard of Irish patriotism, in contrast to the degenerate patriots of the day. Lord Fingal was created a Knight of St. Patrick upon the occasion, which considering his disfranchised state, as a Catholic Peer, was a piece of solemn mockery, too glaring to escape the noble poet's saire :—

> " Will thy yard of blue ribbon, poor Fingal, recall
> The fetters from millions of Catholic limbs?—
> Or has it not bound thee the fastest of all
> The slaves, who now hail their betrayer with hymns?"

In many of his compositions, Lord Byron evinced a disposition in favour of Catholicity. In the 15th canto of *Don Juan*, his description of *Aurora Raby*, a young Catholic lady, forms a strong contrast to the frivolous characters he grouped along with her :—

> " She was a *Catholic*, too, sincere, austere,
> As far as her own gentle heart allowed,
> And deemed that fallen worship far more dear,
> Perhaps because 'twas fallen. Her sires were proud
> Of deeds and days when they had filled the ear
> Of nations, and had never bent or bowed
> To novel power ; and as she was the last,
> She held their old faith and feelings fast.'

The publication of the " Memoirs of Captain Rock," in the Spring of 1824, drew the attention of every mind capable of being acted upon by the union of wit and genius to the consideration of the Catholic cause ; and many, who had never read a page of the history of Ireland, were made acquainted with its details by means of the brilliant epitome which now

forced them to its perusal. The barbarity of the penal laws and the despicable tyranny with which they were administered, were exposed in language calculated to produce emotion in the dullest minds, while their unphilosophical nature and futility were made apparent by a course of argument that defied the cavils of the critic, and remained indelibly fixed upon the memory. To the author of the work Ireland had long been indebted for the general participation of a new feeling of nationality: from the poetry of the "Irish Melodies," the people of Ireland caught a spirit unknown to their forefathers. Tenacious of the fame and honour of their individual septs, the ancient Irish were too much engaged in provincial contentions to entertain feelings of general patriotism, and therefore their attachment to country was only of that qualified and contracted nature which the subdivisions of clanship afforded. The effect produced by the Irish Melodies is an additional proof of the influence which the ballads of a nation have upon the character of its inhabitants. A spirit, formerly unknown and unfelt, extended itself into every district where the beautiful poetry of the patriot Minstrel was heard. The political leaders of the Catholics enriched their harangues with quotations from the beautiful songs of their country, and Mr. O'Connell seldom addressed his countrymen upon the subject of their wrongs, without selecting from Moore's inspired compositions some lofty sentiment, to serve as a leading motto for the struggle in which he was engaged.

Lord Byron did not live to read his friend Moore's "Memoirs of Captain Rock." He died within a few days of its publication, in the month of April, 1824.

The year 1824 is remarkable for the publication of literary compositions of transcendent merit, bearing on the Catholic question. Doctor Doyle's letters, under the signature of J. K. L., created a general interest, by their argument and eloquence. In the poetical department, Mr. Thomas Furlong, a young author, also at the same time drew the public mind to a keen and brilliant satire, entitled, "The Plagues of Ireland. Perhaps no composition of similar merit ever yet came forth in

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a form so humble and unpretending. It now lies before us, a thin duodecimo of forty pages, contained in a blue cover, which gives it more the appearance of a pass-book than a poem of superior rank. It was originally sold for a few pence, and extensively circulated in Ireland. The intention of the author was thus avowed:—"To those who may have heard of our wrongs—to those who know that we have been injured—to those who are aware of our past sufferings, but who know not the nature or character of those under which we still labour—to such, in the absence of a more formal statement, I shall venture to offer the following little sketch. They may find in it many things that will lead them to think—they will behold in it at least a free and unflattering delineation of character—a hasty picturing of our more prominent evils—a rude but fearless grouping of some of those master-nuisances that must be remedied or removed, before the harassed land can calculate upon the enjoyment of tranquillity."

The style of the satire somewhat resembles the celebrated epistles of Phelim O'Connor, in the *Fudge Family*. The same captious spirit of discontent runs through every line, but without incurring the charge of imitation. The poem opens thus:—

"Ask not for tidings! can this blasted soil
Of jarring faction still the sport and spoil;
Can this rank nest of idiots, and of knaves,
Of pampered tyrants, and of pillaged slaves;
Can this lost land, where party struts in pride
Where Justice throws her useless scales aside;
Where the laws fail, and even religion sees
Amidst the mitred its worst enemies;
Where walks the demagogue, affecting still
To cure, even while his words increase the ill;
Can such a spot, at this late time supply
Aught fitting friendship's hand, or wisdom's eye?"

The first character selected for portraiture was the Marquis Wellesley, then Lord Lieutenant of Ireland—

"Talk not of Wellesley! though there was a time
When that high name stood forth in prose and rhyme;

Talk not of Wellesley ! who that saw his day
Of more than regal pomp, and sovereign sway ;
Who that hath marked him in his time of pride,
Of hosts the leader, and of realms the guide ;
When the crushed Nabobs shuddered at his name,
And millions bowed before him as he came ·
The source of power, the organ of the laws,
The mark at once for envy and applause—
Who that hath viewed him in his past career
Of hard-earned fame, could recognise him here ;
Changed, as he is, in lengthened life's descent,
To a mere instrument's mere instrument—'
Begirt with bigots, and beset with fools,
Crippled by Canning's fears, and Eldon's rules ;
Sent out to govern, in his sovereign's name,
Yet clogged with those that thwart each liberal aim ;
A mournful mark of talent misapplied—
A handcuffed leader, and a hoodwinked guide ;
The lone opposer of a lawless band—
The fettered chieftain of a fettered land !"

Mr. Plunkett was then Attorney-General, and received a considerable share of antithetical couplets, but the portrait was not so finished as Lord Wellesley's. After an enumeration of various evils, the author thus continues :—

" To thee all trivial must these sounds appear,
But circumstances make them mighty here ;
For thee these names small interest must possess,
And every hour must make that interest less ;
These names—these sounds are trifling : true ! but still
We find them potent in producing ill.
The Guilds still teach old bigotry to thrive,
And Corporations yet keep theft alive ;
Of base-born scoundrels Lodges form the care,
While titled ruffians to the Clubs repair.
Of tithes, perchance, 'tis childish to complain,
Since practice proves that still we growl in vain.
And the law shews, though reason may deride,
That mother Church hath wisdom on her side—
That to her laws with liberal hand is given
The tenth of earth – and what they please in heaven

The right to that and this is fixed and clear,
And blood must flow to make us own it here."

Mr. Furlong committed, however, one fault, which greatly deteriorated from his sagacity. He confounded the exertions of the Catholic leaders with the actions of those who were the decided enemies of freedom, and subjected them to a qualified censure amongst the political plagues of Ireland. No excuse can be offered for the ridicule which he directed upon Mr. O'Connell's services: it was senseless criticism to object to the unvarying nature of his public orations, when the theme was necessarily confined to one subject. He versified some of Mr. O'Connell's favourite allusions in the following style, which, although, meant to convey a different impression, now wears all the strength of truth and reality—

"Of Ireland's wrongs have all the clap-trap given—
That blot of earth—that master-work of heaven,—
Of God the favourite, but of man the spoil,
The poorest people, and the richest soil;
Her bays, her harbours, and her inlets made
To fix her first in empire, and in trade;
Her wealth still bent to deck a rival's pride,
Her rich resources wasted far and wide,
Even like fountain from a mountain side."

After some very severe sentences upon the demerits of some of the Catholic leaders, the author thus concludes —

"But what of this?—a careless one may sneer,
And blarney there, and bull and blunder here,
The men are public, and the ground they take
Is one that sneers or snarling cannot shake;
They stand for nature's right—in freedom's cause
And even though failing, they deserve applause:
Let them proceed, nor heed the knave who cries—
Keep booing, crawling, cringing, and be wise.
Nay, while to crush them faction seems agreed,
To be quite calm would shew them slaves indeed.
Nor let the mere monopolist grow sore
When truths are told that were not told before;
Let him not cast to Heaven his loyal eyes,
Start at plain words, or feign a strange surprise;

Let him not blame the lingering law's delay,
Nor dream that wild sedition rules the day;
He hears the meetings vote, the rabble roar—
They tease him, and they yet shall tease him more.
He hears the warning call, the firm request,
And hugs the loaves and fishes to his breast.
The fees, the pickings, that he dared to claim,
Are they to spread? can Papists have the same?
The freedom, too, of which he stood sole heir,
Must this extend—must mean ones touch him there?
Aye, let them hear—not all the grinding laws,
Not all the tricks that prop a rotten cause;
Not the blind bigot's threat—the placeman's frown,
Not these shall keep the sturdy medlers down;
One wide wild scene of strife the soil shall be,
'Till justice holds the scales, and all are free."

It may be supposed, from the levity with which their exertions were treated by Mr. Furlong, how little way the members of the Association had as yet made in the general estimation of the community, when even he, with all his intellectual superiority was induced to notice them almost only for the purpose of mocking their intentions. It furnishes an additional instance of the disposition that too often induces people gifted with talent, either to preserve a sceptic indifference in political affairs, or to engage themselves in them merely for the purpose of depreciating the services of other men, who may be actuated by the purest and noblest motives. Many a race of mankind has been held in subjugation, with the seeming acquiescence of those who were fitted by nature to liberate them, but who shrunk from the attempt, deterred by the suspicions or the ingratitude they were to encounter. The progress of every political cause, from its origin to its triumph, is somewhat similar to the career of individual fortune. The world is influenced by the importance, and not by the justice of the claims that may belong to either, and Mr. O'Connell, begun with eight or ten associators assembled in Capel-street, laboured not in less comparative obscurity than the neglected *Martin*, while embodying his inspired design of "Belshazzar's Feast," in the solitude of his garret *studio*

In regard to the private character of Mr. O'Connell, it is

only to be caught up, as it were, by glimpses, which exhibit themselves under the most peculiar circmstances, when he falls accidentally into association with men who are strangers to him, and where the real man shoots forth, as if almost against his will, and startling the observer with those flashes, which are the certain characteristics of the presence of a superior genius. The following may be adduced as a specimen :—

While on a tour through the south of Ireland, in the autumn of the year 1824, I rested one night in a small town in the county of Cork. As I arrived at a late hour, I received accommodation with some difficulty at the only decent hotel the place boasted. Hunger is proverbially good sauce for hard fare, and fatigue is content to sleep without a bed of down; so I placidly betook myself to repose, without inquiry as to the cause of such unexpected annoyance. I was startled, however, at an early hour in the morning by the *reveille* and beat to arms of the bugles and drums of a detachment of military which had been quartered in the town the preceding night, on their march to embark for a foreign station, and I soon found that the officers in command had forestalled me in mine inn.

I am Radical enough to detest a standing army, as a great source of evil to the British empire, as the chief agent in retarding the liberties of our people, and the improvement of our institutions, and as the brutal though gaudy badge of lingering barbarism among the nations assuming to be civilized. I confess, however, that I look with interest upon military movements; I feel excited by " the pride, pomp, and circumstance of glorious war," and though a citizen, I have deemed it useful to study something of the science of tactics, as becomes every citizen who dares to strike for the freedom of his country, if tyranny should provoke the blow. I will not say that conquest is always as " easy as lying," but I can assure my countrymen that there is no great mystery in the art of slaughter, where firm hearts animate strong arms.

Independent of speculations like these, however I consider military discipline a subject of curious and instructive study.

It presents a faithful picture of what despotism desires to effect on the large scale: and alas! of what it can accomplish. It presents the lowly ranks of mankind—the thews and sinews, and bulwarks of the state, in an aspect that dare not know itself, were not the mind also humiliated and degraded by the very system that enthrals the body. A badge assumed—a few impious words spoken, and the citizen ceases to be a freeman, that he may become the butcher of mankind, and the scourge of his fellow-countrymen. The precepts of religion and the kindly virtues of our nature must no longer be his law;—humanity in him becomes a crime; the endearments of home must perish within his memory, and the felon lash, inflicted with a frightful rigour, unknown even to the brute, is the reply to a single aspiration for freedom of the soul his God made free. I marvel, therefore, and I mourn, at the thing man may become, when he surrenders the right of thinking and acting for himself, and I find the nation but as the man, in the hands of the despot. The gradations of ranks in a regiment but exemplifies how lowly worth may be abased, and lordly vice pampered—how the fortunate fool may trample on the hero; it presents, in short, a panoramic view of the evil principle that still pervades our social system.

Still, notwithstanding the demoralization inherent in such slavery, and the special incentives to it supplied by the habits of military life, at the present day, in the British service, the better genius of man prevails, and sometimes solicits our esteem. The generous, warm-hearted youth does not always degenerate into the reckless, jovial veteran, nor does manly frankness merge into insolent familiarity. I have seen kindliness, modest chivalry, honest courtesy, and candour, as natural, fresh, and active, in the survivor of fifty well-fought fields, as in the unscarred gallant "seeking for glory, even in the cannon's mouth." But independent of higher attributes, the old soldier is proverbially prudent and careful of all that is his. A conventional code of rude virtues, after their kind, governs their conduct towards each other, modified, of course in its observance according to individual character. On no

occasion is this more obvious than when on march, under such circumstances as those in which I encountered the party to which I now allude. I, therefore, felt little regret at the loss of an hour's sleep, when I could so agreeably employ the time in a favourite occupation; and I joined the parade in front of the hotel.

The sun was rapidly dispelling the grey elastic mist of the season, and the clash and gleam of arms gave a grateful din and brightness to the scene. Already a few files of soldiers, —the least encumbered and better disciplined,—had assumed their proper stations in the line, and the bustling sergeants were drawing out their muster rolls, with that air of formal gravity peculiar to them and petty pedagogues. Apart, scattered in thin groups, leaning listlessly on their arms, and passing rude remarks, coarse jests and gibes on all around them, stood a few of the disorderly and refractory, postponing till the last minute to fall into the ranks, for no apparent reason but that they were required to do so. Further off, crowded together, stood a few baggage-carts preparing for departure; some of them crowded with women and children, knapsacks and canteens,—those women with bright eyes and tidy figures, but sharp and world-worn features, such as are known for soldiers' wives, without a single badge of the camp; and the children, looking hardy, drilled and dogged, as soldiers' children ever look; while around them were gathered the husbands and fathers of the troop, wearing anxious or sulky aspects, according to their different natures. Here and there might be seen two or three motley clusters—a scarlet-vested figure, with swollen eyes and look of haggard solemnity, that betokened a night's debauch, and a maudlin sense of grief and duty, forming the centre of each, while their more juvenile companions, in party-coloured costume, with hats askew, and a knowing goose-look, that struggled with drunkenness and wonder, tried to look smart and saucy under the sneering eyes of the trim and well-trained soldiery. These were natives of the neighbourhood, surrounded by the early friends or boon-fellows of former days. One or two aged matrons pressed their way

through these groups, with earnest sorrowing haste, to take their last grasp and gaze of the wayward youths they toiled and wept for in vain, and now surrendered to the world without one consoling hope: and, lingering at a distance, might be seen some hamlet beauty, scanning with timid and wistful eye, the manly form of some playmate of her childhood—some early wooer who had left, but not lost, her love. Anon, the ranks were joined by some raw hero, with the tardy and awkward gait, and discontented air of the road-beaten recruit, and last of all stepped forth from some neighbouring place of billet, with bouyant step and conceited swagger, the gay and handsome gallant, smiling with practised assurance upon the blushing and merry maiden over whom he had in vain tried the hackneyed spell of a smooth face, a red coat, and a false tongue for the last hour. Around the party were collected the idlers of the place of all ranks and vocations, from the gallant parson of the parish, then on the half-pay of his Majesty's —— regiment of foot, to the town-crier; and the night-capped and paper-curled heads of coy damsels peep forth from many a window. The picture was completed by a band of marvelling and mocking urchins gathered round a pigmy drummer at the head of the column; the poor little fellow, who suffered nearly a total eclipse beneath his noisy burthen, was evidently quite indignant at the rude inspection to which he was subjected, and looked the "the point of war" beat personified.

I repeat, that such a scence has considerable attractions for me, and I looked on this with much interest. It suggested a train of sweet and bitter thoughts that I need not now recall; but they were of my country, and the relation the men before me bore to it. At length the line of soldiery began to resolve itself into regular form, and wear the cold symmetry of discipline, when my reverie, was interrupted by the sound of approaching wheels, and I beheld a travelling carriage and four drive towards the hotel. I hurried in with the selfishness of a traveller, to secure my morning's repast and a vehicle for the day's journey before the approach of the strangers, that might prove rivals for those comforts, and then

took my station at the window of the breakfast-room which the officers of the party had just relinquished. In a moment the carriage was at the door, and I saw two gentlemen alight from it. One was a tall and portly figure enveloped in a large furred cloak, and with, at first glance, a decided military air, half aided and half suppressed by costume. His age might be above fifty, but he looked hale and vigorous, and his quick grey eye, that seemed to look inward, and yet caught every object around with singular rapidity, betokened a vivacity which yet defied the chill of years. His features were regular and pleasing, and of that square-set but flexible cast which generally indicates solid genius and great energy. For a moment he paused, and looked with keen and quiet gaze upon the scene before him, not as upon a spectacle, but as on something he studied. I might be mistaken, but there seemed a pause and hush, even in the military preparation, while that transient but searching scrutiny lasted. I thought I could mark a shade of sadness pass over his features, and his eye expand with reflective expression, as his head slightly drooped, and he ceased to scan the objects before him; but in the next instant he looked up with a serious and resolved aspect and more lofty bearing, as he turned to enter the house.

His companion was a man of fewer years and less imposing exterior, with a mild and handsome countenance, and a dark intellectual eye remarkable for its almost womanish sweetness of expression. He seemed of quick excitable temperament, and I observed that his attention was fixed more on the man beside him, than on the stirring scene before them. I have since learned to esteem him as one of the most honest and warm-hearted of Irish patriots in the British senate.

Even on the moment, I was convinced that the individual who had first engrossed my regard was a man of no ordinary character. There was that impress which power and fame,—a sense of high designs, or great achievements, ever give to the aspect and demeanour, visible about him; and I felt

interested and curious. As he entered the room where I was I instantly perceived that his manner wanted something of that conventional grace which aristocracy of birth and breeding commonly imparts, and a rich Munster brogue, mingling with the mellow pathos of a naturally sweet and earnest tone of voice, convinced me that, whatever might be his claims to greatness, he did not owe them to his ancestors, for Irishmen of rank now despise their country too much not to be ashamed of its accent. The conviction increased my deference for him, while it added to my curiosity

I did not long suffer the suspense of vague speculation. Before my thoughts could resolve themselves into any definite idea respecting their object, the door of the apartment was flung open, and a soldier entered. He was a middle-aged, hardy-looking man, with a rough, weather-beaten, *Irish* visage, full of fun and assurance, and glowing at the moment with the excitement of surprise and whiskey; he was just the sort of gay reckless, frolicking fellow who would whistle a jig while he mounted the breach, and yet spend a fourth of his time in the guard-house, or on extra drill for neglect of his duty. He looked for an instant anxiously at the taller stranger, and then exclaimed:

"Are you not———yes! you *are* O'Connell!

"I am. What is your business with me?" replied the Catholic Liberator, evidently somewhat irritated by the intrusion.

"Oh, I knew you at a glance, though I never saw you but once before! My brother voted for you in Waterford in 'twenty-six,'* and was turned out for that same by his landlord, Colonel G———; but you won the day, and we are proud of it, and may you live to make ould Ireland free for ever?"

Notwithstanding that there was something offensive in the

* Alluding to the contested election for the County of Waterford in the year 1826, when Mr Villiers Stuart was returned against the tremendous power of the Beresfords, a triumph which contributed greatly to accelerate Catholic Emancipation.

familiarity of the man's manner, yet it was so unconsciously manifested, and he evinced such an exulting admiration of the man before him, and of his great services, that it was impossible to chide him, or repulse him coldly. O'Connell did not, but spoke a few words of the duty of every Irishman to serve his country faithfully, whether as citizen or soldier, and of his regret to see a brave countryman degrade himself by intemperance. The other was too much engrossed by the flurry of his own thoughts to hear or heed carefully the reproof he received, and he left the room as hastily as he had entered, ere it was well concluded.

Presently after he re-appeared at the door, accompanied by a brother soldier, who advanced with an embarrassed and abashed, yet wishful look. His demeanor and appearance presented a favourable contrast to the uncouth bearing of his companion. He had barely reached the period of manhood, but he presented as fine a picture of manly rustic comeliness as I ever looked on. His tall figure was already rounded into the proportions of a youthful Hercules; and his fair, well chiselled brow, beneath which his suffused blue eye glittered, was clustered round with crisp curls of light brown hair. Even as he came forward with graceful awkwardness, and a girl-like timidity, I could read in the play of his eloquent features, the opening traits of bold, daring and enduring firmness, and I remarked him as a man who would prove a faithful friend and a formidable foe.

"There he is,—look at him. That's the man for the people, and for the soldiers too," said the veteran.

The young man stood with uncovered head, and his modest and respectful manner, as he gazed with reverence and affectionate regard on the man whose name and praises had filled his childhood's prattle and manhood's thoughts, strongly interested the sympathy of those in whose presence he stood. His first words were uttered in a low voice—"Are you O'Connell, Sir?"

O'Connell's reply was kindly made, and the young soldier became more confident and collected.

"I am going to leave my country, Sir, and perhaps I may never see it again, but my sorrow is lighter now that I see *you* before I go.—Many a time I have prayed for you at my mother's knee, and in the house of God; and now my heart is proud that I can pray to God, in your own presence, to bless you and prosper your cause."

The patriot soldier knelt as he spoke, and cast a glance to Heaven and on the beloved objects of his prayers. I saw his rude companion dash his hand across his face as he contemplated him with humid eyes, and a look of amazement and perplexity, while the second stranger and myself were not less affected. It is thus that a generous sentiment, or noble deed, will sometimes draw a gush of sympathetic feeling from the hardest or most barren heart. O Connell seemed greatly moved, and, as he stretched forth his hand to raise the gallant youth at his feet, his eye glistened with honest pride and feeling. He made an effort to speak, but his heart was too full. The soldier snatched his hand and pressed it eagerly to his lips and heart.—

"Remember!" said he, "remember, that though I wear *this* badge, *I would die for* YOU!" His head sunk sobbing for an instant of intense feeling upon the hand of O'Connell, but ere expression could come on either side, he started to his feet and hurried away. He was followed by his comrade.

There was the silence of profound excitement and of a sentiment too sacred for discourse. I saw O'Connell staunch the tears that did him honour, and his companion wept without restraint. I retired.

The heartless worldling and silly cynic will demand why such an incident should excite such feelings. I know not what answer would suffice for such a being, or whether he deserves one, but this I know that I then felt, that, were I monarch of the universe, I would rather receive the free homage of one such honest heart, than the cringing sycophancy of crowds of courtiers: and I still feel that the man who can thus lead the hearts of millions captive is far greater than the oppressors and slaves who scoff at him. His do-

minion is nobler than that of kings, and more secure than the mailed victor's.

"Such chains as his are sure to bind"

I witnessed with a pang of regret the departure of the troops, among whom the young soldier was distinguished for his erect bearing and the proud glance of his eye. His thoughts were of his native land, and the man who led her hopes to blessed freedom. Was his the only heart in England's hosts that thus throbbed with delight at the dream of Ireland's glory, and vowed within its secret spirit eternal fidelity to her cause!—

In another hour the extraordinary man who had roused such feelings also pursued his journey, cheered by the blessings and huzzas of hundreds of peaceful citizens who had collected as if by magic at the mere whisper of his name. I watched intently the expression of eager delight and devoted admiration with which he was hailed by the multitude, and I pondered deeply on the source of his unrivalled, unparalleled power.

"Let this man," I said, "be but true to himself and to his country, and his glory will overshadow the nations, and his name be to them for ever, a watchword for true patriotism and liberty!"

During the progress of the Catholic cause, it was often a matter of astonishment to many persons who observed the proceedings of the various associations that were formed to advance it, through what means O'Connell was enabled to derive a knowledge of the secret proceedings of the Orange fraternities. Leagued as they were by the strong principle of self-interest and exclusion, and bound together by the obligation of a dark oath, it was to be supposed that none but the initiated could have the power to reveal transactions so tenaciously protected. Treachery, however, which has so often betrayed even the holiest of causes, makes no exemption in favour of those leagues which are connected with injustice; and the frequent denouncements which O'Connell has made relative to the

Orange institutions, prove that there were many persons amongst the lodges who joined in their orgies, and ministered in their unholy rites, merely to betray them to *him*, who was their most hated, because most formidable and persevering antagonist. The means of information which he alone possessed of the extent and importance of the Orange schools, it was, perhaps, what induced him to speak of them, as he always did, in terms of unmeasured contempt and derision; and while many, who estimated their importance from their own vain gasconading, and the secret nature of their league, viewed their hostility with apprehension, he was ever heard to defy their utmost exertions, and to ridicule the assumption by which they were enabled to intimidate others.

Warrants from the central, directed to the district lodges—certificates, books of regulations, explanations of signs and documents of various descriptions, were from time to time exhibited at aggregate meetings by O'Connell; and after a humorous exhibition of their nature and tendency, were generally consigned to the guardianship of the Secretary of the Catholics of Ireland, to be preserved as political curiosities. Since the abolition of faction, in 1829, we know not what has become of the Orange memorials which thus came into his possession. A few years will give them all the consequences of antiquity, and entitle them to a place in the glass-cases of a museum; but whether they are forthcoming or not, is a matter of equal uncertainty, as the fate of the spoliated journals of the Association, which subsequently fell into the same hands. The notoriety of their signs and passwords often compelled the Orange societies to abandon them, and adopt other symbols of organization, and aided in extending amongst their wide-spread ramifications that distrust which never fails to paralyze the general strength of a body so constituted. They were ill prepared also to counteract the movements of the Association; for a fraternity whose conventions were held at midnight, and whose proceedings were cautiously veiled from the public eye, was not equal to the task of resisting the progress of their aspiring enemies, whose strength was derived from the open augmentation of

their numbers, and whose importance chiefly depended upon the degree of public attention which they were enabled to draw upon their transactions. The hostility of the Orangemen to the first efforts of the Association was therefore of a feeble and desultory nature, and broke forth chiefly in the ill-tempered tirades of their Parliamentary representatives, or were confined to the vulgar harangues of the Corporation orators; but to such a degree of effrontery had the spirit of ascendency grown, that upon one occasion, a person was found so imbued with its arrogance, as to rise up in a meeting of the Catholic Association, and assail the character and motives of its founder with the temerity and virulence of a fanatic.

During the delivery of a speech of Mr. Sheil's against the temporalities of the established church, on May 15, 1824, a person frequently interrupted him, by vociferating "No, no," in contradiction of the speaker's conclusions; and when Mr Sheil resumed his seat, the interlocutor was asked by the chairman, if he intended to offer any remarks in reply to the statements which he had so laconically opposed; but, either mistrusting his own capability for the task, or confiding in the sufficiency of his monosyllabic reply to Mr. Shiel's assertions, he declined to accept the offer of the chairman. On the next day of meeting, however, he appeared, accompanied by a friend, and occupied the same place as on the former occasion. He had declined the call of the chairman at the last meeting, but it was now evident that he had in the interval prepared himself for a display during the present. He was a pale studious-looking young man, with somewhat the air of genteel life; one who might be generally described as "a well-dressed young gentleman," from the total absence of any peculiarity of figure or physiognomy. Taking advantage of a momentary cessation of the proceedings, the gentleman rose, and looking towards the chairman in a manner that intimated a desire for attention, in the treble key of a tyro orator, he thus began:—"Is it not astonishing, is it not lamentable, that an association of persons could be found in this city, who congregate for the mischievous purpose of

encouraging and disseminating the most inflaming virulence? Must it not make one low in spirits, and sick at heart, to see and hear, that, notwithstanding all that may be said in the senate by the minister and the patriot, of the laws being impartial, and impartially administered, a series of anarchical infatuation should prompt some, and so mislead others to proclaim and believe, that justice is not to be obtained for the Irish Catholics; but that oppression, corruption, and misgovernment reign through the land? Do we not hear the factious slanderers proclaiming to the peasant that the Protestant clergy and the Protestant gentry are to be regarded as the implacable enemies of Ireland? Do we not unhappily see the Catholic peasant, influenced by this hellish purpose and prejudice, satiate his enmity by the shedding of Protestant blood?" The meeting, taken by surprise during the delivery of the first two sentences of the young speaker's address, had remained silent and attentive; but upon the close of the third, a general and indignant burst of disapprobation interrupted his further progress; and many persons seemed inclined to make the orator either moderate his tone, or suppress it altogether, Convinced that it would be better to let the violence of the feelings with which he was charged, explode by giving him a hearing, O'Connell interposed, and requested the indignant associates to be silent that they might hear. The young gentleman, who remained perfectly unmoved at the perturbation that heaved around him, went on:—"But I will ask, who is really the enemy of Ireland, and of her peasantry? Is it not that man who with wily treacherous, fascinating and impassioned eloquence, harangues a credulous, warm-hearted, and generous peasantry, urging them to the belief that the Catholics are a persecuted race, whose blood is wantonly and frequently shed with impunity, and whose property, privileges, and lives, have not the support and protection and advantages of the laws, and that they are aliens to the constitution? I will tell the Catholics that they nourish in their own bosoms their most formidable, because their most insidious enemy. A man who wishes for

any thing rather than Catholic emancipation, as it is called: and whose projects and designs are calculated and intended to retard that measure. This is not rhapsody, but the candid sentiments of an honest heart; and would that those who now hear me, that the man whose dangerous eloquence"—here the young orator was interrupted by the Secretary, who inquired was he a member of the association, and a reply in the negative having been obtained, O'Connell asked if he was a Catholic? This being denied with considerable emotion, and a declaration of his Protestantism being also given, he was desired by the chairman to proceed. "Emboldened by your success," he continued,—"in creating distrust in the peasantry, destroying their confidence in the magistracy, and establishing an hostility to the Protestant gentry and clergy, you proceed with confidence in your power of working mischief;—but let me conjure you to beware of your danger, and to reflect, that although the progress of the laws may be occasionally slow, yet when they overtake delinquents, punishment is certain; and that, should you continue your present wicked course of proceeding, that terrible fate may overtake you, which has befallen so many of your wicked and deluded countrymen, who have been impelled to blood and rapine, and have consequently sacrificed their lives to the offended laws."

The conscientious Secretary here again interfered, and required to know if the gentleman intended his address to be the prelude of any motion for the decision of the meeting; but O'Connell again declared that the laws of the Association gave the speaker a right to be heard, upon the grounds that he was a stranger, and a Protestant. A friendly voice from the corner of the room also remonstrated with the Secretary for breaking the thread of the speaker's discourse, and hinted that his College Tutor would not fail to lecture him upon the subject when he next appeared before him. The young gentleman was again about to proceed in his admonition, when the pertinacious Secretary once more perplexed him by asking

him to favour the assembly by informing it, through him their officer, with the name of the eloquent individual whom he had the honour to address. The young gentleman, however, not relishing this inquisitorial proceeding, very coolly answered that he would not give his name! Mr. Conway here protested against permitting so great an irregularity as to sanction the address of any person, who spoke incognito. The Chairman, however, overruled the objections of the Secretary and Mr. Conway, and intimated to the anonymous orator that he was at liberty to proceed——the question relative to his "sponsorial and patronymic appellation," seemed to have so disconcerted the eloquent young gentleman, as to have produced a complete oblivion of the pre-meditated oration. He paused for a moment—appeared to make an effort to speak, hesitated, and then tremulously declared that he would not resume his address.

It was evident, from the conclusion of the Gentleman's magnanimous tirade, that he had not prepared more than the inflated exordium that we have given in the foregoing; and that it had been anticipated that by the time the declaimer had arrived at its conclusion, the temper of the agitators would have been so perturbed as to cause an enforced suppression of all that might have followed it The tolerant principle upon which the laws of the Association were said to be founded, would, from this instance of their practical observance, it was supposed, come into disrepute; and the Orange orators and paragraphists would then only have to appeal to this occasion in order to establish that fair play was a maxim disregarded in the Association arena. They would have referred to the act of the body itself in evidence of the unfitness for that freedom which it so vehemently sought, and demonstrated the slender claims which it possessed, when it could not command sufficient liberality, even to endure with ordinary patience the recital of a few unpalatable truths. The philosophy of the many, however, was not proof against the experiment. The sense of the meeting would have indignantly silenced the audacity that thus, with boyish temerity, dared to condemn

principles which his puny intellect could not sufficiently comprehend; but the tact of the leader turned the opportunity to its own advantage. The insolence of the young enthusiast was endured for the time, and the object which it was intended to achieve thus defeated. This was the first occasion, since the formation of the Association, that any degree of excitement was remarkable in its proceedings. The allusions of opinion amongst the members had never risen beyond animation, nor produced in their debates an undignified asperity of sentiment, but upon this occasion, the perverted allegations of the speaker seemed to rouse the feelings of the active audience. O'Connell would have allowed the petulant boy to sit down in silence, if his ill-timed essay had been prompted merely by his own inexperience; but there was too much reason to conclude that, however wild and even hyperbolical his sentiments were, still there were, perhaps, thousands who coincided in them and sanctioned their application to the fullest extent. The speech which this occasion elicited was perhaps, for its length, one of the happiest that he has delivered, for it was spoken under the influence of feelings which has mostly been favourable to Mr. O'Connell on similar occasions. After an argumentative refutation of the speaker's charges, he thus concluded:—"This may be an expiring effort of tyranny and weakness, or it may be the mere wanton prank of privileged insolence in a young exclusionist, anxious for the exercise of his inherent right to insult an oppressed and degraded people, or he may be a bravo hired by an Orange club, to assail my character and motives, in order to furnish materials for some slanderous attack upon me in the Orange journals. But, Sir, I have now passed that time of life when mere personal ribaldry can make me forgetful of the obedience I owe my Maker, and of my duty to my family; and, would to God, Sir, that I had ever been guided by the same feelings. Then, let this juvenile intolerant report to his employers that I withstood his impotent rage unmoved by the vile calumnies to which it gave utterance, that his slanders were to me but as playthings to a boy, which after amusing him, he flings to the wind—that in him we re-

cognise an epitome of those odious peculiarities which distinguished the heartless Orangemen, and that his monstrous audacity in coming into an assembly of Catholics, where he charged them with the vilest atrocities, but dared not to support them by one single proof, served but to excite our quiet contempt, whilst we could not withhold our pity from his early desertion of all those amiable and honourable feelings and principles necessary to the profession of Christianity, and which are indispensible in the character of a good citizen." The anonymous orator, however, did not make his retreat with the preservation of his honour. After Mr. O'Connell had let him fall to the earth like the tortoise from the grasp of the eagle, he was taken up by Mr. A. V. Kirwan, who severely criticised his oration, and pointedly insinuated that it must have been rehearsed at some canting coterie. An insinuation of this character seemed so much to resemble insult, that the equanimity of the young gentleman was for a time so deranged that he entirely forgot his own incog. and boldly demanded his castigator's card. Mr. Kirwan was about to comply, when a gentleman who sat next to him suggested that he should not accede to the stranger's demand unless the latter was equally willing to make a similar exchange. The mysterious orator however again refused to divulge his name and condition, and excused himself by declaring that if he revealed himself to the Association, *he would be murdered in his bed!* A burst of mingled indignation and ridicule responded to the orator's explanation, during which both he and his friend contrived to vacate their seats, and having thus abated the nuisance which their presence created, the Association soon after recovered its wonted good humour, and the business proceeded.

CHAPTER VIII

It was now conceived that the people of Ireland were sufficiently instructed in their duties for a new and great effort, on the success of which their cause so far depended, that, if the design succeeded, emancipation could not be withheld. There were already in Parliament some Irishmen, friends of emancipation, and of the claims of the Catholics in general. These, however, owed their seats to those arbitrary circumstances which then brought men into Parliament on either side. There were still no men representing any portion of the Irish people on their own side—the men whom the people, or the forty-shilling freeholders, had nominally elected to represent them in Parliament, were their enemies. It was now resolved that these freeholders should choose members to represent themselves, and not to represent their landlords. There were great difficulties in the way. These freeholders were brought into existence for the purpose of choosing the members pitched upon by their landlords, and no others. They were considered personal property; and many an affair of honour had originated from a landlord, by design or carelessness, allowing his *free*-holders to slip from his hand, and vote the wrong way—the excuse that he permitted them to make their own choice, was considered the greatest insult which could be offered.

When Parliament was dissolved, the first attempt was made at Waterford. This was going to the very door of the Beresfords. It was like the Scotch crime of hamesucken—assaulting a man in his own house. The very tenants of the prince of the "Ascendency" were to be urged to vote against him. The Marquis of Waterford (the head of the Beresfords) and the Duke of Devonshire had been accustomed to divide the county between them. Their candidate, in this instance, was

Lord George Beresford—that of the Catholics, Mr. Stuart The effort was, at first, looked on as Quixotic. Even Mr. O'Connell scarcely thought there were much chance of success. The people, however, met in public, and were addressed by the priests and the members of the association. They were told of the oath against bribery, and of the crime of voting against their political opinions. The other party got alarmed, and were at the trouble to propound an address, which told the people that they should be treated as they had hitherto been by the Beresfords; and how they had been treated, let the following extract, from the work of an impartial traveller, testify :—

Of the cotton factory of Mayfield, Mr. Inglis says, "I found no fewer than nine hundred persons employed, of whom a large number were, of course, young persons: the wages of the boys and girls were from 2s. 6d. to 7s. per week: the upgrown persons worked at task-work, and might easily obtain £1. The most marked improvement has taken place in the neighbourhood, since the establishment of this manufactory; not in lodging only, but in food also, a great change has taken place; and, although high wages, which leaves a surplus, are some incentive to intoxication, it is a fact, that not an hour's labour is ever lost in the factory, owing to the dissipated habits of those employed in it.

I regretted deeply to learn, not from the proprietor of the mill only, but from other sources, that Lord Waterford's family have thrown every obstacle in the way of this establishment; and that, only the other day, an attempt had been made to take advantage of some manorial rights, and to demolish the mill-dams. Pity it is, that the aristocracy should, even by open acts, separate themselves from the interests of the people around them. The enterprising Quaker who has established this factory, has done more for the neighbourhood than Lord Waterford and all the Beresfords have ever done; and his Lordship's pride ought to be, less in his magnificent domain and fine stud, than in the comfortable condition of the surrounding peasantry, and in the establishment which has produced it."

A curious scene took place on the hustings, as the members were proposed. An old man of the name of Casey—the first man who had refused the offers of the Beresfords—rose and proposed Daniel O'Connell, Esq. "as a fit and proper person to represent the county of Waterford in Parliament." This proposal, which somewhat startled both candidates, was made with the view of giving Mr. O'Connell an opportunity of addressing the assembly; and to "deliver," says Mr. Wyse, "one of the most truly eloquent harangues which has probably ever fallen from the mouth of a candidate." There was a vast majority in favour of Mr. Stuart, and the contest was deserted by the Beresfords. The most remarkable feature of this election was, that a great multitude had, every man, bound himself over not only to temperance, but to abstinence, and that the resolution was severely kept. It included not liquor alone, but the indulgence in whatever propensity might excite to confusion, and the greatest insults were passed by unretaliated, by men well able to avenge them.

The next effort was in Louth. The county was divided between Lord Oriel and Lord Roden; and the pre-appointed members were the redoubted Mr. Leslie Foster and Mr. Fortescue. Between these and their prey, suddenly and unexpectedly started, like a ghastly spectre, the candidate for the Catholics—Mr. Dawson, a retired barrister, a man of small fortune, who even intimated that he would bear no portion of the expense, and must be returned by popular contribution. The struggle is described as having been of the very hottest nature. Grave, taciturn men of office, forgot their dignity in the horror of a *popular* election, and the unnatural practice of forty-shilling freeholders voting as they thought best. "As the election proceeded,' says the author of the "Sketches of the Irish Bar," "the anxieties of Mr. Foster augmented. He seemed to lose all command and self-possession. He would rush into the Sheriff's booth with a precipitate vehemence, which was the more remarkable from the contrast which it formed with his usual systematic and well-ordered behaviour. 'Soldiers!' he would cry—'soldiers! Mr. High Sheriff! I

call upon you to bring out troops, to protect me and my supporters. My life is in peril—my brother has been just assailed—we shall be massacred, if you persevere in excluding troops from the town." It is difficult to form an estimate of the sacrifices of the Irish peasantry on such occasions. It was not the loss of countenance, of assistance, of patronage, of customers, that was risked, but the bread of themselves and of their families. Mr. Shiel, in one of his speeches, has drawn a living picture of a Louth voter:—

"I saw a man brought up to the hustings, of an athletic form, and a countenance upon whose strong and massive features passion had set a deep stamp. Although a peasant of the humblest class, he bore the traces of a rude but vigorous sensibility. He at once attracted my attention. I felt a curiosity to learn for whom he should vote, for I perceived that there was a strong contest of emotions going on within him. When asked for whom he should give his first vote, he answered, Mr. Fortescue; but when the deputy inquired for whom his second vote was to be given, I perceived that the question went through his heart. The poor man stood silent, agitated, and aghast. A succession of various and contending feelings passed rapidly over his face. He leaned upon the piece of wood which formed the boundary of the hustings, for support—his whole frame was shaken by the violent passions which rushed upon him—his knee became slackened—his chest lost its openness and dilation—and, while he grasped his arm with the force of one who endeavours to work himself into determination, I could perceive that quivering of the fingers which is peculiarly indicative of emotion. The deputy repeated the question, and still he gave no answer; but it was easy to conjecture what was passing in his mind; it was evident that he was contemplating the fulfilling what he felt to be his political and religious duty. He was revolving the results of his landlord's indignation. He stood like the martyr who gazes upon and half shrinks from the rack. 'Poor wretch!' I whispered to myself, 'he is thinking of his family; his cottage and his fields have come

into his imagination. He sees his wife and his children gathered about him; he stands at the door of his wretched habitation, and sees the driver entering his little farm, seizing his unreaped corn, mowing down his meadow, carting his potatos, and driving his only beast to the pound. This vision of misery has disturbed him. The anticipations of calamity press upon his heart, and assume the aspect of reality in his mind. He beholds himself expelled from the little spot of earth where he was born, and where he hoped to die—turned with his children upon the public road, without roof, or food or raiment—sent in beggary and nakedness upon the world, with no other hope to cheer him but that of death, and no eye to pity him but that of heaven. The cries of his children pierce into his nature, and his bosom bursts with that fearful agony that breaks the husband's and the father's heart. It was thus that I explained to myself the agitation of the wretched man that stood before me, when the deputy repeated the question for the third time, and asked him again for whom he gave his second vote? What do you think he did? With all that dreadful scene in his imagination—with all that spectacle of misery present to his mind—with wo, and want, and sorrow, and utter destitution before him—with nature pleading in his bosom—with the cries of his children in his ears—after an interval of horrible suspense, the miserable man called up all his energies, and, with all the valour of despair, answered, 'I vote for Dawson!"

But the great blow was to be struck at Clare. The Catholics had passed a resolution, at one of their aggregate meetings, to oppose the election of every candidate who should not pledge himself against the Duke of Wellington's administration. This measure lay for some time a mere dead letter in the registry of the Association, and was gradually passing into oblivion, when an incident occurred which gave it an importance far greater than had originally belonged to it. Lord John Russell, flushed with the victory which had been achieved in the repeal of the Test and Corpo-

ration Acts, and grateful to the Duke of Wellington for the part which he had taken, wrote a letter to Mr. O'Connell, in which he suggested that the conduct of his Grace had been so fair and manly towards the Dissenters, as to entitle him to their gratitude; and that they would consider the reversal of the resolution which had been passed against his government, as evidence of the interest which was felt in Ireland, not only in the great question peculiarly applicable to that country, but in the assertion of religious freedom through the empire The authority of Lord John Russell is considerable, and Mr. O'Connell, under the influence of his advice, proposed that the anti-Wellington resolution should be withdrawn. This motion was violently opposed, and Mr. O'Connell perceived that the antipathy to the Great Captain was more deeply rooted than he had originally imagined. After a long and tempestous debate, he suggested an amendment, in which the principle of his original motion was given up, and the Catholics remained pledged to their hostility to the Duke of Wellington's administration. Mr. O'Connell has reason to rejoice at his failure in carrying this proposition; for if he had succeeded no ground for opposing the return of Mr. Vesey Fitzgerald would haxe existed

The promotion of that gentleman to a seat in the Cabinet created a vacancy in the representation of the county of Clare; and an opportunity was afforded to the Roman Catholic body of proving, that the resolution which had been passed against the Duke of Wellington's government was not an idle vaunt, but that it could be carried in a striking instance into effect. It was determined that all the power of the people should be put forth. The Association looked round for a candidate, and without having previously consulted him, re-elected Major M'Namara. He is a Protestant in religion, a Catholic in politics, and a Milesian in descent. Although he is equally well-known in Dublin and in Clare, his provincial is distinct from his metropolitan reputation. In Dublin he may be seen at half-past four o'clock, strolling, with a lounge of easy importance, towards Kildare-street Club-house, and dressed in

exact imitation of the King; to whose royal whiskers the Major's are considered to bear a profusely powdered, and highly frizzed affinity. Not contented with this single point of resemblance, he has, by the entertainment of "a score or two of tailors," and the profound study of the regal fashions achieved a complete look of Majesty; and by the turn of his coat, the dilation of his chest, and an aspect of egregious dignity, succeeded in procuring in his person a very fine effigy of his sovereign. With respect to his moral qualities, he belongs to the good old school of Irish gentlemen; and from the facility of his manners, and his graceful mode of arbitrating a difference, has acquired a very eminent character as "a friend." No man is better versed in the strategies of Irish honour. He chooses the ground with an O'Trigger eye, and by a glance over "the fifteen acres," is able to select, with an instantaneous accuracy, the finest position for the settlement of a quarrel. In his calculation of distances, he displays a peculiarly scientific genius; and whether it be expedient to bring down your antagonist at a long shot, or at a more embarrassing interval of feet, you may be sure of the Major's loading to a grain. In the county of Clare, he does not merely enact the part of a sovereign. He is the chief of the clan of the M'Namaras, and after rehearsing the royal character at Kildare-street, the moment he arrives on the coast of Clare, and visits the oyster-beds at Pooldoody, becomes "every inch a king." He possesses great influence with the people, which is founded upon far better grounds than their hereditary reverence for the Eileoian nobility of Ireland. He is a most excellent magistrate. If a gentleman should endeavour to crush a poor peasant, Major M'Namara is ready to protect him, not only with the powers of his office, but at the risk of his life. This creditable solicitude for the rights and the interests of the lower orders had rendered him most deservedly popular; and in naming him as their representative, the Association could not have made a more judicious choice. He was publicly called upon to stand. Some days elapsed and no answer was returned by the Major. The public mind was thrown into

suspense, and various conjectures went abroad as the cause of this singular omission. Some alleged that he was gone to an island off the coast of Clare, where the proceedings of the Association had not reached him; while others suggested that he was only waiting until the clergy of the county should declare themselves more unequivocally favourable to him. The latter, it was said, had evinced much apathy; and it was rumoured that Dean O'Shaughnessy, who is a distant relative of Mr. Fitzgerald, had intimated a determination not to support any anti-ministerial canditate. The Major's silence, and the doubts which were entertained with regard to the allegiance of the priests, created a sort of panic at the Association. A meeting was called, and various opinions were delivered as to the propriety of engaging in a contest, the issue of which was considered exceedingly doubtful, and in which, failure would be attended with such disastrous consequences. Mr. O'Connell himself did not appear exceedingly sanguine; and Mr. Purcell O'Gorman, a native of Clare, and who had a minute knowledge of the feelings of the people, expressed apprehensions. There were however, two gentlemen, (Mr. O'Gorman Mahon and Mr. Steele,) who strongly insisted that the people might be roused, and that the priests, were not as lukewarm as was imagined. Upon the zeal of Dean O'Shaughnessy, however a good deal of question was thrown. By a singular coincidence just as his name was uttered, a gentleman entered, who, but for the peculiar locality, might have been readily mistaken for a clergyman of the established church. Between the priesthood of the two religions there are, in aspect and demeanour, as well as in creed and discipline, several points of affinity, and the abstract sacerdotal character is readily perceptible in both. The parson however, in his attitude and attire, presents the evidences of superiority, aud carries the mannerism of ascendency upon him A broad-brimmed hat composed of the smoothest and blackest material, and drawn by two silken threads into a fire-shovel configuration, a felicitious adaptation of his jerkin to the symmetries of his chest and shoulder, stockings of glossy silk, which displayed the happy proportions of a finely swelling leg,

a ruddy cheek, and a bright authoritative eye, suggested, at first view, that the gentleman who had entered the room while the merits of Dean O'Shaughnessy were under discussion, must be a minister of the prosperous Christianity of the established church. It was, however, no other than Dean O'Shaughnessy himself. He was however received with a burst of applause, which indicated that, whatever surmises with respect to his fidelity had previously gone out, his appearance before that tribunal (for it was one) was considered by the assembly as a proof of his devotion to the public interest. The Dean, however, made a very scholastic sort of oration, the gist of which it was by no means easy to arrive at. He denied that he had enlisted himself under Mr. Fitzgerald's banners, but at the same time studiously avoided giving any sort of pledge. He did not state distinctly what his opinion was with respect to the co-operation of the priests with the Association; and when he was pressed, begged to be allowed to withold his sentiments on the subject. The Association were not, however, dismayed; and it having been conjectured that the chief reason for Major M'Namara having omitted to return an answer was connected with pecuniary considerations, it was decided that so large a sum as five thousand pounds of the Catholic rent should be allocated to the expences of his election. Mr. O'Gorman Mahon and Mr. Steele were directed to proceed at once to Clare, in order that they might have a personal interview with him; and they immediately set off. After an absence of two days, Mr. O'Gorman Mahon returned, stating that the Major's obligations to Mr. Fitzgerald were such, that he was bound in honour not to oppose him. This information caused deep disappointment among the Catholic body, while the Protestant party exulted, and boasted that no gentleman of the county would stoop so low as to accept of the patronage of the Association. In this emergency, and when it was considered an hopeless attempt to oppose the Cabinet minister, the public were astonished by the following address from Mr. O'Connell to the freeholders of Clare, in which he offered himself as a candidate, and solicited their support.

TO THE ELECTORS OF THE COUNTY OF CLARE,

Dublin, June, 1828.

Fellow Countrymen,

Your county wants a representative. I respectfully solicit your suffrages, to raise me to that station.

Of my qualification to fill that station, I leave you to judge. The habits of public speaking, and many, many years of public business, render me, perhaps equally suited with most men to attend to the interests of Ireland in Parliament.

You will be told I am not qualified to be elected; the assertion, my friends, is untrue.—I am qualified to be elected, and to be your representative. It is true that as a Catholic, I cannot, and of course never will, take the oaths at present prescribed to members of Parliament; but the authority which created these oaths, (the Parliament), can abrogate them: and I entertain a confident hope that, it you elect me, the most bigotted of our enemies will see the necessity of removing from the chosen representative of the people, an obstacle which would prevent him from doing his duty to his King and to his country.

The oath at present required by law is, "that the sacrifice of the mass, and the invocation of the blessed Virgin Mary, and other saints, as now practised in the church of Rome, are impious and idolatrous." Of course, I will never stain my soul with such an oath: I leave that to my honourable opponent, Mr. Vesey Fitzgerald; he has often taken that horrible oath; he is ready to take it again, and asks your votes to enable him so to swear. I would rather be torn limb from limb than take it. Electors of the county of Clare! choose between me, who abominates that oath, and Mr. Vesey Fitzgerald, who has sworn it full twenty times! Return me to Parliament, and it is probable that such a blasphemous oath will be abolished for ever. As your representative, I will try the question with the friends in Parliament of Mr. Vesey Fitzgerald.—They may send me to prison.—I am ready to go there to promote the cause of the Catholics, and of universal liberty. The discussion which the attempt to exclude your

representative from the House of Commons must excite, will create a sensation all over Europe, and produce such a burst of contemptuous indignation against British bigotry, in every enlightened country in the world, that the voice of all the great and good in England, Scotland, and Ireland, being joined to the universal shout of the nations of the earth, will overpower every opposition, and render it impossible for Peel and Wellington any longer to close the doors of the constitution against the Catholics of Ireland.

Electors of the county of Clare! Mr. Vesey Fitzgerald claims as his only merit, that he is a friend to the Catholics—why, I am a Catholic myself; and if he be sincerely our friend, let him vote for me, and raise before the British empire the Catholic question in my humble person, in the way most propitious to my final success. But no, fellow countrymen, no; he will make no sacrifice to that cause, he will call himself your friend, and act the part of your worst and most unrelenting enemy.

I do not like to give the epitome of his political life; yet, when the present occasion so loudly calls for it, I cannot refrain. He took office under Perceval,—under that Perceval who obtained power by raising the base, bloody, and unchristian cry of "No Popery," in England.

He had the nomination of a member to serve for the borough of Ennis. He nominated Mr. Spencer Perceval, then a decided opponent of the Catholics.

He voted on the East Retford bill, for a measure that would put two virulent enemies of the Catholics into Parliament.

In the case of the Protestant Dissenters in England, he voted for their exclusion, that is, against the principle of the freedom of conscience;—that sacred principle which the Catholics of Ireland have ever cultivated and cherished, on which we framed our rights to emancipation.

Finally, he voted for the suppression of the Catholic Association of Ireland!

And, after this, sacred Heaven! he calls himself a friend to the Catholics.

He is the ally and colleague of the Duke of Wellington and Mr. Peel; he is their partner in power; they are, you know the most bitter, persevering, and unmitigated enemies of the Catholics; and, after all this, he, the partner of our bitterest and unrelenting enemies, calls himself the friend of the Catholics of Ireland.

Having thus traced a few of the demerits of my right honourable opponent, what shall I say for myself?

I appeal to my past life for my unremitting and disinterested attachment to the religion and liberties of Catholic Ireland.

If you return me to Parliament, I pledge myself to vote for every measure favourable to radical reform in the representative system, so that the House of Commons may truly, as our Catholic ancestors intended it should do, represent all the people.

To vote for the repeal of the Vestry bill, the sub-letting act, and the Grand Jury laws.

To vote for the diminition and more equal distribution of the overgrown wealth of the established church in Ireland, so that the surplus may be restored to the sustentation of the poor, the aged, and the infirm.

To vote for every measure of retrenchment and reduction of the national expenditure, so as to relieve the people from the burdens of taxation, and to bring the question of the repeal of the Union, at the earliest possible period, before the consideration of the legislature.

Electors of the county of Clare! choose between me and Mr. Vesey Fitzgerald; choose between him who has so long cultivated his own interest, and one who seeks only to advance your's; choose between the sworn libeller of the Catholic faith, and one who has devoted his early life to your cause; who has consumed his manhood in a struggle for your liberties, and who has ever lived, and is ready to die for the integrity, the honour, the purity, of the Catholic faith, and the promotion of Irish freedom and happiness.

Your faithful servant,

DANIEL O'CONNELL.

Nothing but his subsequent success could exceed the sensation which was produced by this address, and all eyes were turned towards the field in which so remarkable a contest was to be waged. The two candidates entered the lists with signal advantages upon both sides. Mr. O'Connell had an unparelleled popularity, which the services of thirty years had secured to him. Upon the other hand, Mr. Vesey Fitzgerald presented a combination of favourable circumstances, which rendered the issue exceedingly difficult to calculate. His father had held the office of Prime Serjeant at the Irish Bar; and, although indebted to the government for his promotion, had the virtuous intrepidity to vote against the Union. This example of independence had rendered him a great favourite with the people. From the moment that his son had obtained access to power, he had employed his extensive influence in doing acts of kindness to the gentry of the county of Clare. He had inundated it with the overflowings of ministerial bounty. The eldest sons of the poorer gentlemen, and the younger branches of the aristocracy, had been provided for through his means; and in the army, the navy, the treasury, the Four Courts, and the Custom-house, the proofs of his political friendship were everywhere to be found. Independently of any act of his which could be referred to his personal interest, and his anxiety to keep up his influence in the county, Mr. Fitzgerald, who is a man of a very amiable disposition, had conferred many services upon his Clare acquaintances. Nor was it to Protestants that these manifestations of favour were confined. He had laid not only the Catholic proprietors, but the Catholic priesthood, under obligation. The bishop of the diocese himself, (a respectable old gentleman who drives about in a gig with a mitre upon it,) is supposed not to have escaped from his bounties; and it is insinuated that some droppings of ministerial manna had fallen upon him. The consequence of this systematized and uniform plan of benefaction is obvious. The sense of obligation was heightened by the manner of this extensive distributor of the

favours of the Crown, and converted the ordinary feeling of thankfulness into one of personal regard. To this array of very favourable circumstances, Mr. Fitzgerald brought the additional influence which arose from his resent promotion in the Cabinet; which, to those who had former benefits to return, afforded an opportunity for the exercise of that kind of prospective gratitude which has been described to consist of a lively sense of service to come. These were the comparative advantages with which the ministerial and the popular candidate in this celebrated contest; and Ireland stood by to witness the encounter.

Mr. O'Connell did not immediately set off from Dublin, but before his departure several gentlemen were despatched from the Association in order to excite the minds of the people, and to prepare the way for him. The most active and useful of the persons who were employed upon this occasion, were the two gentlemen to whom we have already referred, Mr. Steele and Mr. O'Gorman. They are both deserving of special commendation. The former is a Protestant of a respectable fortune in the county of Clare, and who has all his life been devoted to the assertion of liberal principles. In Trinity College, he was amongst the foremost of the advocates of emancipation, and at that early period became the intimate associate of many Roman Catholic gentlemen who have since distinguished themselves in the proceedings of their body. Being a man of independent circumstances, Mr. Steele did not devote himself to any profession, and having a zealous and active mind, he looked round for occupation. The Spanish war afforded him a field for the display of that generous enthusiasm by which he is distinguished. He joined the patriot army, and fought with a desperate valour upon the batteries of the Trocadero. It was only when Cadiz had surrendered, and the cause of Spain became utterly hopeless, that Mr. Steele relinquished this noble undertaking. He returned to England, surrounded by exiles from the unfortunate country for the liberation of which he had repeatedly exposed his life. It was impossible for a man of so much energy of character to

remain in torpor; and on his arrival in Ireland, faithful to the principles by which he had been uniformly swayed, he joined the Catholic Association. There he delivered several powerful and enthusiastic declamations in favour of religious liberty. Such a man, however, was fitted for action as well as for harangue; and the moment the contest in Clare began, he threw himself into the combat with the same alacrity with which he had rushed upon the French bayonets at Cadiz. He was serviceable in various ways. He opened the political campaign by intimating his readiness to fight any landlord who should conceive himself to be aggrieved by an interference with his tenants. This was a very impressive exordium. He then proceeded to canvas for votes; and, assisted by his intimate friend, Mr. O'Gorman Mahon, travelled through the country, and, both by day and night, addressed the people from the altars round which they were assembled to hear him. It is no exaggeration to say, that to him, and to his intrepid and indefatigable confederate, the success of Mr. O'Connell is greatly to be ascribed. Mr. O'Gorman Mahon is introduced into this article as one amongst many figures. He would deserve to stand apart in a portrait. Nature has been peculiarly favourable to him. He has a very striking physiognomy, of the Corsair character, which the Protestant Gulnares, and the Catholic Medoras, find it equally difficult to resist. His figure is tall, and he is peculiarly free and *degage* in all his attitudes and movements. In any other person his attire would appear singularly fantastical. His manners are exceedingly frank and natural, and have a character of kindliness as well as of self-reliance imprinted upon them. He is wholly free from embarrassment and *mauvaise honte*, and carries a well-founded consciousness of his personal merit; which is, however, so well united with urbanity, that it is not in the slightest degree offensive. His talents as a popular speaker are considerable. He derives from external qualifications an influence over the multitude, which men of diminutive statue are somewhat slow of obtaining. A little man is at first view regarded by the great body of spectators with disrelish: and it is only by force

of phrase, and by the charm of speech, that he can at length succeed in inducing his auditors to overlook any infelicity of configuration; but when O'Gorman Mahon throws himself out before the people, and touching his whiskers with one hand, and brandishes the other, an enthusiasm is at once produced, to which the fair portion of the spectators lend their tender contribution. Such a man was exactly adapted to the excitement of the people of Clare; and it must be admitted that, by his indefatigable exertions, his unremitting activity, and his devoted zeal, he most materially assisted in the election of Mr. O'Connell. While Mr. Steele and Mr. O'Gorman Mahon harangued the people in one district, Mr. Lawless, who was also despatched upon a similar mission, applied his faculties of excitation in another. This gentleman has obtained deserved celebrity by his being almost the only individual among the Irish deputies who remonstrated against the sacrifice of the rights of the forty-shilling freeholders Ever since that period he has been eminently popular; and although he may occasionally, by ebullitions of ill-regulated but generous enthusiasm, create a little merriment amongst those whose minds are not as susceptible of patriotic and disinterested emotion as his own, yet the conviction which is entertained of his honesty of purpose, confers upon him a considerable influence. "Honest Jack Lawless" is the designation by which he has been known since the "wings" were in discussion. He has many distinguished qualifications as a public speaker. His voice is deep, round, and mellow, and is diversified by a great variety of rich and harmonious intonation. His action is exceedingly graceful and appropriate; he has a good figure, which, by a purposed swell and dilation of the shoulders, and an elaborate erectness, he turns to good account; and by dint of an easy fluency of good diction, a solemn visage, an aqualine nose of no vulgar dimension, eyes glaring underneath a shaggy brow with a certain fierceness of emotion, a quizzing-glass, which is gracefully dangled in any pauses of thought or suspensions of utterance, and, above all, by a certain attitude of dignity, which he assumes in the crisis

of eloquence, accompanied with a flinging back of his coat, which sets his periods beautifully off, "Honest Jack" has become one of the most popular and efficient speakers at the Association. Shortly after Mr. Lawless had been despatched, a great reinforcement to the oratorical was sent down in the person of the celebrated Father Maguire, or, as he is habitually designated, "Father Tom." This gentleman had been for some time a parish priest in the county of Leitrim. He lived in a remote parish, where his talents were unappreciated. Some accident brought Mr. Pope, the itinerant controversialist into contact with him. A challenge to defend the doctrines of his religion was tendered by the wandering disputant to the priest, and the latter at once accepted it. Maguire had given no previous proof of his abilities, and the Catholic body regretted the encounter. The parties met in this strange duel of theology. The interest created by their encounter was prodigious. Not only the room where their debates were carried on was crowded, but the whole of Sackville-street, where it was situated, was thronged with population. Pope brought to the combat great fluency, and a powerful declamation. Maguire was a master of scholastic logic. After several days of controversey, Pope was overthrown, and "Father Tom," as the champion of orthodoxy, became the object of popular adoration. A base conspiracy was got up to destroy his moral character, and by its failure raised him to the affection of the multitude. He had been under great obligations to Mr. O'Connell, for his exertions upon his trial, and from a just sentiment of gratitude, he tendered his services in Clare. His name alone was of great value; and when his coming was announced, the people everywhere rushed forward to hail the great vindicator of the national religion. He threw fresh ingredients into the caldron, and contributed to impart to the contest that strong religious character which is not the fault of the Association, but of the Government, that every contest of the kind might assume. "Father Tom" was employed upon a remarkable exploit. Mr. Augustine Butler, the lineal descendant of the famous Sir Toby Butler, is a proprietor in

Clare: he is a liberal Protestant, but supported Mr. Vesey Fitzgerald, "Father Tom" proceeded from the town of Ennis to the county chapel where Mr. Butler's freeholders were assembled, in order to address them; and Mr. Butler with an intrepidity which did him much credit, went forward to meet him, It was a singular encounter in the house of God. The Protestant landlord called upon his freeholders not to desert him. "Father Tom" rose to address them in behalf of Mr. O'Connell. He is not greatly gifted with a command of decorated phraseology; but he is master of vigorous language, and has a power of strong and simple reasoning, which is equally intelligible to all classes. He employs the syllogism of the schools as his chief weapon in argument; but uses it with such dexterity, that his auditors of the humblest class can follow him without being aware of the technical exposition of logic by which he masters the understanding. His manner is peculiar: it is not flowery, nor declamatory, but is short, somewhat abrupt, and to use the French phrase, is "tranchant." His countenance is adapted to his mind, and is expressive of the reasoning and controversial faculties. A blue eye, a nose slightly turned up, and formed for the tossing off an argument, a strong brow, a complexion of mountain ruddiness, and thick lips, which are better formed for rude disdain than for polished sarcasm, are his characteristics. He assailed Mr. Butler with all his power, and overthrew him. The topic to which he addressed himself, was one which was not only calculated to move the tenants of Mr. Butler, but to stir Mr. Butler himself. He appealed to the memory of his celebrated Catholic ancestor, of which Mr. Butler is justly proud. He stated, that what Sir Toby Butler had been, Mr. O'Connell was; and he adjured him not to stand up in opposition to an individual whom he was bound to sustain by a sort of hereditary obligation. His appeal carried the freeholders away, and one hundred and fifty votes were secured to Mr. O'Connell. Mr. Maguire was seconded in this achievement by Mr. Dominick Ronayne, a barrister of the Association, of considerable talents, and who not only speaks the English language with eloquence

but is master of the Irish tongue; and throwing an educated mind into the powerful idiom of the country, wrought with uncommon power upon the passions of the people.

Mr. Sheil was employed as counsel for Mr. O'Connell before the assessor; but proceeded to the county of Clare the day before the election commenced. On his arrival, he understood that an exertion was required in the parish of Corofin, which is situate upon the estate of Sir Edward O'Brien, who had given all his interest to Mr. Vesey Fitzgerald. Sir Edward is the most opulent resident landlord in the county. In the parish of Corofin he had no less than three hundred votes; and it was supposed that his freeholders would go with him. Mr. Sheil determined to assail him in the citadel of his strength, and proceeded upon the Sunday before the poll commenced, to the chapel of Corofin. Sir Edward O'Brien having learned that this agitator intended this trespass upon his authority, resolved to anticipate him, and set off in his splendid equipage, drawn by four horses, to the mountains in which Corofin is situated. The whole population came down from their residences in the rocks, which are in the vicinity of the town of Ennis, and advanced in large bands, waving green boughs, and preceded by fifes and pipers, upon the road. Their landlord was met by them on his way, They passed him by in silence, while they hailed the demagogue with shouts, and attended him in triumph to the chapel. Sir Edward O'Brien lost his resolution at this spectacle; and feeling that he could have no influence in such a state of excitation, instead of going to the house of Catholic worship, proceeded to the church of Corofin. He left his carriage exactly opposite the doors of the chapel, which is immediately contiguous, and thus reminded the people of his Protestantism, by a circumstance of which, of course, advantage was instantaneously taken. Mr. Sheil arrived with a vast multitude of attendants at the chapel, which was crowded with people, who had flocked from all quarters;—there a singular scene took place. Father Murphy, the parish priest, came to the entrance of the chapel dressed in his surplice. As he came forth, the

multitude fell back at his command, and arranged themselves on either side, so as to form a lane for the reception of the agitator. Deep silence was imposed upon the people by the priest, who has a voice like subterraneous thunder, and appeared to hold them in absolute dominion. When Mr. Sheil had reached the threshold of the chapel, Father Murphy stretched forth his hand, and welcomed him to the performance of the good work. The figure and attitude of the priest were remarkable. The English reader draws his ordinary notion of a Catholic clergyman from the caricatures which are contained in novels, or represented in farces upon the stage; but the Irish priest, who has lately become a politician and a scholar, has not a touch of foigardism about him; and an artist would have found in Father Murphy rather a study for the enthusiastic Macbriar, who is so powerfully delineated in "Old Mortality," than a realization of the familiar notions of a clergyman of the Church of Rome. As he stood surrounded by a dense multitude, whom he had hushed into profound silence, he presented an imposing object. His form is tall, slender, and emaciated; but was enveloped in his long robes, that gave him a peculiarly sacerdotal aspect. The hand which he stretched forth was ample, but worn to a skinny meagritude and pallor. His face was long, sunken, and cadaverous, but was illuminated by eyes blazing with all the fire of genius, the enthusiasm of religion, and the devotedness of patriotism. His lank black hair fell down his temples, and eyebrows of the same colour stretched in thick straight lines along a lofty forehead, and threw over the whole countenance a deep shadow, The sun was shining with brilliancy, and rendered his figure, attired as it was in white garments, more conspicuous. The scenery about him was in harmony;—it was wild and desolate, and crags, with scarce a blade of verdure shooting through their crevices, rose everywhere around him. The interior of the chapel, at the entrance of which he stood, was visible. It was a large pile of building, consisting of bare walls, rudely thrown up, with a floor of clay, and at the extremity stood an altar made of a few boards clumsily put together.

It was on the threshold of this mountain temple that the envoy of the Association was hailed with a solemn greeting. The priest proceeded to the altar, and commanded the people to abstain, during the divine ceremony, from all political thinking or occupation. He recited the mass with great fervency and simplicity of manner, and with all the evidences of unaffected piety. However familiar from daily repetition with the ritual, he pronounced it with a just emphasis, and went through the various forms which are incidental to it with singular propriety and grace. The people were deeply attentive, and it was observable that most of them could read; for they had prayer-books in their hands, which they read with a quiet devotion. Mass being finished, Father Murphy threw his vestments off, and without laying down the priest, assumed the politician. He addressed the people in Irish, and called upon them to vote for O'Connell in the name of their country and of their religion.

It was a most extraordinary and powerful display of the externals of eloquence; and as far as a person unacquainted with the language could form an estimate of the matter by the effects produced upon the auditory, it must have been pregnant with genuine oratory. It will be supposed that this singular priest addressed his parishioners in tones and gestures as rude as the wild dialect to which he was giving utterance. His action and attitudes were as graceful as an accomplished actor could use in delivering the speech of Antony, and his intonations were soft, pathetic, denunciatory, and conjuring, accordingly as his theme varied, and as he had recourse to different expedients to influence the people. The general character of this strange harangue was impassioned and solemn, but he occasionally had recourse to ridicule, and his countenance at once adapted itself with a happy readiness to derision. The finest spirit of sarcasm gleamed over his features, and shouts of laughter attended his description of a miserable Catholic who should prove recreant to the great cause, by making a sacrifice of his country to his landlord. The close of his speech was peculiarly effective. He became

inflamed by the power of his emotions, and while he raised himself into the loftiest attitude to which he could ascend, he laid one hand on the altar, and shook the other in the spirit of almost prophetic admonition, and as his eyes blazed and seemed to start from his forehead, thick drops fell down his face, and his voice rolled through lips livid with passion and covered with foam. It is almost unnecessary, to say that such an appeal was irresistible. The multitude burst into shouts of acclamation, and would have been ready to mount a battery roaring with cannon at his command. Two days after the results were felt at the hustings; and while Sir Edward O'Brien stood aghast, Father Murphy marched into Ennis at the head of his tenantry, and polled them to a man in favour of Daniel O'Connell. But we are anticipating.

The notion which had gone abroad in Dublin that the priests were lukewarm, was utterly unfounded. With the exception of Dean O'Shaughnessy, who is a relative of Mr. Fitzgerald (and for whom there is perhaps much excuse), and a Father Coffey, who has since been deserted by his congregation, and is paid his dues in bad halfpence, there was scarcely a clergyman in the county who did not use his utmost influence over the peasantry. On the day on which Mr. O'Connell arrived, you met a priest in every street, who assured you that the battle should be won, and pledged himself that "the man of the people" should be returned. "The man of the people" arrived in the midst of the loudest acclamations. Near thirty thousand people were crowded into the streets of Ennis, and were unceasing in their shouts. Banners were suspended from every window, and women of great beauty were everywhere seen waving handkerchiefs with the figure of the patriot stamped upon them. Processions of freeholders, with their parish priests at their head, were marching like troops to different quarters of the city: and it was remarkable that not a single individual was intoxicated. The most perfect order and regularity prevailed; and the large bodies of police which had been collected in the town stood without occupation. These were evidences of organiza-

tion, from which it was easy to form a conjecture as to the result.

The election opened, and the court-house in which the Sheriff read the writ presented a very new and striking scene. On the left hand of the Sheriff stood a Cabinet-minister attended by the whole body of the aristocracy of the county of Clare. Their appearance indicated at once their superior rank and their profound mortification, An expression of bitterness and of wounded pride was stamped in various modifications of resentment upon their countenances; while others, who were in the interest of Mr. Fitzgerald, and who were small Protestant proprietors, affected to look big and important, and swelled themselves into gentry upon the credit of voting for the minister. On the right hand of the Sheriff stood Mr. O'Connell, with scarcely a single gentleman by his side; for most even of the Catholic proprietors had abandoned him, and joined the ministerial candidate. But the body of the court presented the power of Mr. O'Connell, in a mass of determined peasants, amongst whom black coats and sacerdotal visages were seen felicitously intermixed, outside the balustrade of the gallery on the left hand of the Sheriff. Before the business began, a gentleman was observed on whom every eye was turned. He had indeed chosen a most singular position; for instead of sitting like the other auditors on the seats in the gallery, he leaped over it, and, suspending himself above the crowd, afforded what was an object of wonder to the great body of the spectators, and of indignation to the High Sheriff. The attire of the individual who was thus perched in this dangerous position was sufficiently strange. He had a coat of Irish tabinet, with glossy trowsers of the same national material; he wore no waistcoat; a blue shirt lined with streaks of white was open at his neck, in which the strength of Hercules and the symmetry of Antinous were combined; a broad green sash, with a medal of "the order of Liberators" at the end of it, hung conspicuously over his breast; and a profusion of black curls, curiously festooned about his temples, shadowed a very handsome and expressive countenance, a

great part of which was occupied by whiskers of a bushy amplitude. " Who, Sir, are you?" exclaimed the High Sheriff, in a tone of imperious melancholy, which he had acquired at Canton, where he had long resided in the service of the East India Company. But we must pause here, and even at the hazard of breaking the regular thread of the narration—we cannot resist the temptation of describing the High Sheriff. When he stood up with his wand of office in his hand, the contrast between him and the aerial gentleman whom he was addressing was to the highest degree ludicrous. Of the latter some conception has already been given. He looked a chivalrous dandy, who, under the most fantastical apparel, carried the spirit and intrepidty of an exceedingly fine fellow. Mr. High-Sheriff had, at an early period of his life, left his native county of Clare, and had migrated to China, where, if we may judge from his manners and demeanour, he must have been in immediate communication with a Mandarin of the first class, and made a Chinese functionary his favourite model. We should conjecture that he must loug have presided over the packing of Bohea, and that some tincture of that agreeable vegetable had been infused into his complexion. An Oriental sedateness and gravity are spread over a countenance upon which a smile seldom presumes to trespass. He gives utterance to intonations which were originally contracted in the East, but have been since melodized by his religious habits into a puritanical chant in Ireland. The Chinese language is monosyllabic, and Mr. Molony has extended its character to the English tongue; for he breaks all his words into separate and elaborate divisions, to each of which he bestows a due quantity of deliberate intonation. Upon arriving in Ireland, he addicted himself to godliness, having previously made great gains in China, and he has so contrived as to impart the cadences of Wesley to the pronunciation of Confucius.

Such was the aspect of the great public functionary, who, rising with a peculiar magisteriality of altitude, and stretching forth the emblem of his power, inquired of the gentleman who was suspended from the gallery who he was.—" My name is

O'Gorman Mahon," was the reply, delivered with a firmness which clearly showed that the person who had conveyed this piece of intelligence thought very little of a High-Sheriff and a great deal of O'Gorman Mahon. The Sheriff had been offended by the general appearance of Mr. Mahon, who had distracted the public attention from his own contemplation; but he was particularly irritated by observing the insurgent symbol of "the order of Liberators" dangling at his breast "I tell that gentleman," said Mr. Molony, "to take off that badge. "There was a moment's pause, and then the following answer was slowly and articulately pronounced:—"This gentleman (laying his hand on his breast) tells that gentleman (pointing with the other to the Sheriff)' that if that gentleman presumes to touch this gentleman, this gentleman will defend himself against that gentleman, or any other gentleman, while he has got the arm of a gentleman to protect him." This extraordinary sentence was followed by a loud burst of applause from all parts of the court-house. The High-Sheriff looked aghast. The expression of self-satisfaction and magisterial complacency passed off of his visage, and he looked utterly blank and dejected. After an interval of irresolution, down he sat. "The soul" of O'Gorman Mahon (to use Curran's expression) "walked forth in its own majesty;" he looked "redeemed, regenerated, and disenthralled." The model of the order of Liberators" was pressed to his heart. O'Connell surveyed him with gratitude and admiration; and the first blow was struck, which sent dismay into the heart of the party of which the Sheriff was considered to be an adherent.

This was the opening incident of this novel drama. When the sensation which it had created had in some degree subsided, the business of the day went on. Sir Edward O'Brien proposed Mr. Vesey Fitzgerald as a proper person to serve in Parliament. Sir Edward had upon former occasions been the vehement antagonist of Mr. Fitgerald, and in one instance a regular battle had been fought between the tenantry of both parties. It was supposed that this feud had left some acrimo-

nious feelings which were not quite extinct behind, and many conjectured that the zeal of Sir Edward in favour of his competitor was a little feigned. This notion was confirmed by the circumstance that Sir Edward O'Brien's son (the member for Ennis) had subscribed to the Catholic Rent, was a member of the Association, and had recently made a vigorous speech in Parliament in defence of that body. It is, however, probable that the feudal pride of Sir Edward O'Brien, which was deeply mortified by the defection of his vassals, absorbed every other feeling, and that, however indifferent he might have been on Mr. Fitzgerald's account, yet that he was exceedingly irritated upon his own. He appeared at least to be profoundly moved, and had not spoken above a few minutes when tears fell from his eyes. He has a strong Irish character impressed upon him. It is said that he is lineally descended from the Irish emperor, Brian-Borue; and indeed he has some resemblance to the sign-post at a tavern near Clontarf, in which the image of that celebrated monarch is represented. He is squat, bluff, and impassioned. An expression of good-nature, rather than of good humour, is mixed up with a certain rough consciousness of his own dignity, which in his most familiar moments he never lays aside, for the Milesian predominates in his demeanour, and his royal recollections wait perpetually upon him. He is a great favourite with the people, who are attached to the descendants of the ancient indigenous families of the country, and who see in Sir Edward O'Brien a good landlord, as well as the representative of Brian Borue. We were not a little astonished at seeing him weep upon the hustings. It was, however, observed to us, that he is given to the "melting mood," although his tears do not fall like the gum of "the Arabian tree." In the House of Commons he once produced a great effect, bursting into tears, while he described the misery of the people of Clare, although, at the same time, his granaries, were full. It was said that his hustings pathos was of the same quality, and arose from the peculiar susceptibility of the lacrymatory nerves, and not from any very nice fibres about

the heart: still we are convinced that his emotion was genuine, and that he was profoundly touched. He complained that he had been deserted by his tenants, although he had deserved well at their hands; and exclaimed that the country was not one fit for a gentleman to reside in, when property lost all its influence, and things were brought to such a pass. The motion was seconded by Sir A. Fitzgerald in a few words. Mr. Gore, a gentleman of very large estate, took occasion to deliver his opinions in favour of Mr. Fitzgerald; .and Mr. O'Gorman Mahon and Mr. Steele proposed Mr. O'Connell. It then fell to the rival candidates to speak, and Mr. Vesey Fitzgerald, having been first put in nomination, first addressed the freeholders. He seemed to us to be about five and forty years of age, his hair being slightly marked with a little edging of scarcely preceptible silver, but the care with which it was distributed and arranged, showed that the cabinet minister had not yet entirely dismissed his Lothario recollections. We had heard, before I had even seen Mr. Fitzgerald, that he was in great favour with the Callstas, at Almack's; and we were not surprised at it, on a minute inspection of his aspect and deportment. It is not that he is a handsome man, (though he is far from being the reverse,) but that there is an air of blended sweetness and assurance, of easy intrepidity and gentle gracefulness about him, which are considered to be eminently winning. His countenance, though a circular, and tinctured with vermillion, is agreeable. The eyes are of bright hazel, and have an expression of ever earnest frankness, which an acute observer might suspect, while his mouth is full of a strennous solicitude to please. The moment he rose, we perceived that he was an accomplished gentleman; and when we had heard him utter a few sentences. We were satisfied that he was a most accomplished speaker. He delivered one of the most effective and dexterous speeches which it has ever been our good fortune to hear. There were evident marks of deep pain and of fear to be traced in his features, which were not free from the haggardness of many an anxious vigil; but though he was manifestly mortified in the extreme, he studiously re-

frained from all exasperating sentiments or expression. He spoke at first with a graceful melancholy, rather than a tone of impassioned adjuration. He intimated that it was rather a measure of rigourous, if not unjustifiable policy, to display the power of the Association in throwing an individual out of Parliament who had been the warm and uniform advocate of the Catholic cause during his whole political life. He enumerated the instances in which he had exerted himself in behalf of that body which were now dealing with him with such severity, and referred to his services with regard to the College of Maynooth, The part of his speech which was most powerful, related to his father. The latter had opposed the Union, and had many claims upon the national gratitude. The topic was one which required to be most delicately touched, and no orator could treat it with a more exquisite nicety than Mr. Fitzgerald. He became, as he advanced, and the recollection of his father pressed itself more immediately upon his mind, more impassioned. As the moment he was speaking his father, to whom he is most tenderly attached, and by whom he is most beloved, was lying upon a bed from whence it was believed that he would never rise, and efforts had been made to conceal from the old man the contest in which his son was involved. It is impossible to mistake genuine grief, and when Mr. Fitzgerald paused for an instant, and turning away, wiped off the tears that came streaming from his eyes, he won the sympathies of every one about him. There were few who did not give the same evidence of emotion ; and when he sat down, although the great majority of the audience were strongly opposed to him, and were enthusiasts in favonr of the rival candidate, a loud and unanimous burst of acclamation shook the Court-house.

Mr. O'Connell rose to address the people in reply. It was manifest that he considered a great exertion to be requisite in order to do away the impression which his antagonist had produced. It was clear that he was collecting all his might, to those who were acquainted with the workings of his physiognomy. Mr. O'Connell bore Mr. Fitzgerald no sort of

personal aversion, but he determined, in this exigency, to have little mercy on his feelings, and to employ all the power of vituperation of which he was possessed, against him. This was absolutely necessary; for if mere dexterous fencing had been resorted to by Mr. O'Connell, many might have gone away with the opinion that, after all, Mr. Fitzgerald had been thanklessly treated by the Catholic body. It was therefore disagreeably requisite to render him, for the moment, odious. Mr. O'Connell began by awakening the passions of the multitude in an attack on Mr. Fitzgerald's allies. Mr. Gore had lauded him highly. This Mr. Gore is of Cromwellian descent, and the people detest the memory of the Protector to this day. There is a tradition (we know not whether it has the least foundation) that the ancestor of this gentleman's family was a nailer by trade in the Puritan army. Mr. O'Connell, without any direct reference to the fact, used a set of metaphors, such as "striking the nail on the head,"—"putting a nail into a coffin," which at once recalled the associations which were attached to the name of Mr. Gore; and roars of laughter assailed that gentleman on every side. Mr. Gore has the character of being not only very opulent, but of bearing a regard to his possessions proportioned to their extent. Nothing is so unpopular as prudence in Ireland; and Mr. O'Connell rallied Mr. Gore to such a point upon this head, and that of his supposed origin, that the latter completely sunk under the attack. He next proceeded to Mr. Fitzgerald, and, having drawn a picture of the late Mr. Perceval, he turned round and asked of the rival candidate, with what face he could call himself their friend, when the first act of his political life was to enlist himself under the banners of "the bloody Perceval." This epithet (whether it be well or ill deserved is not the question) was sent into the hearts of the people with a force of expression, and a furious vehemence of voice, that created a great sensation amongst the crowd, and turned the tide against Mr. Fitzgerald. "This too," said Mr. O'Connell, "is the friend of Peel,—the bloody Perceval, and the candid and manly

Mr. Peel,—and he is our friend! and he is every body's friend! The friend of the Catholic was the friend of the bloody Perceval, and is the friend of the candid and manly Mr. Peel!"

It is unnecessary to go through Mr. O'Connell's speech It was stamped with all his powerful characteristics, and galled Mr. Fitzgerald to the core. That gentleman frequently muttered an interrogatory, "Is this fair?" when Mr. O'Connell was using some legitimate sophistication against him. He seemed particularly offended when his adversary said, "I never shed tears in public," which was intended as a mockery of Mr. Fitzgerald's references to his father. It will be thought by some sensitive persons that Mr. O'Connell was not quite warranted in this harsh dealing, but he had no alternative. Mr. Fitzgerald had made a very powerful speech, and the effect was to be got rid of. In such a warfare a man must not pause in the selection of his weapons, and Mr. O'Connell is not the man to hesitate in the use of the rhetorical sabre. Nothing of any peculiar interest occurred after Mr. O'Connell's speech upon the first day. On the second the polling commenced; and on that day, in consequence of an expedient adopted by Mr. Fitzgerald's committee, the parties were nearly equal. A Catholic freeholder cannot, in strictness, vote at an election without making a certain declaration upon oath respecting his religious opinions, and obtaining a certificate of his having done so from a magistrate. It is usual for candidates to agree to dispense with the necessity of taking this oath. It was, however, of importance to Mr. Fitzgerald to delay the election; and with that view his committee required that the declaration should be taken. Mr. O'Connell's committee were unprepared for this form, and it was with the utmost difficulty that magistrates could be procured to attend to receive the oath. It was therefore impossible, on the first day, for Mr. O'Connell to bring his forces into the field, and thus the parties appeared nearly equal. To those who did not know the real cause of this circumstance, it appeared ominous, and the O'Connellites

looked sufficiently blank; but the next day every thing was remedied. The freeholders were sworn *en masse*. They were brought into a yard inclosed within four walls. Twenty-five were placed against each wall, and they simultaneously repeated the oath. When one batch of swearers had been disposed of, the person who administered the declaration, turned to the adjoining division, and despatched them. Thus he went through the quadrangle, and in the course of a few minutes was able to discharge one hundred patriots upon Mr Fitzgerald. It may be said that an oath ought to be more solemnly administered. In reply it is only necessary to observe, that the declaration in question related principally to "the Pretender," and when "the legislature perseveres in compelling the name of God to be thus taken in vain," the ritual becomes appropriately farcical, and the manner of the thing is only adapted to the ludicrous matter upon which it is legally requisite that Heaven should be attested! The oath which is imposed upon a Roman Catholic is a violation of the first precept of the decalogue! This species of machinery having been thus applied to the art of swearing, the effects upon the poll soon became manifest, and Mr. O'Connell ascended to a triumphant majority. It became clear that the landlords had lost all their power, and that their struggles were utterly hopeless. Still they persevered in dragging the few serfs whom they had under their control to the hustings, and in protracting the election. It was Mr. Fitzgerald's own wish, I believe, to abandon the contest, when its ultimate issue was already certain; but his friends insisted that the last man whom they could command should be polled out. Thus the election was procrastinated. In ordinary cases, the interval between the first and the last day of polling is monotonous and dull; but during the Clare election so many ludicrous and extraordinary incidents were every moment occurring, as to relieve any attentive observer from every influence of ennui. The writer of this article was under the necessity of remaining during the day in the Sheriff's booth, where questions of law were chiefly discussed, but even here there was much

matter for entertainment. The Sheriff afforded a perpetual fund of amusement. He sat with his wand of office leaning against his shoulder, and always ready for his grasp. When there was no actual business going forward, he still preserved a magisterial dignity of deportment, and with half-closed eye-lids, and throwing back his head, and forming with his chin an obtuse angle with the horizon, reproved any indulgence in illicit mirth which might chance to pass amongst the Bar. The gentlemen who were professionally engaged having discovered the chief foible of the Sheriff, which consisted in the most fantastical notions of himself, vied with each other in playing upon this weakness. "I feel that I address myself to the first man of the county," was the usual exordium with which legal argument was opened. The Sheriff, instead of perceiving the sneer which involuntarily played round the lips of the mocking sycophant, smiled with an air of Malvolio condescension, and bowed his head. Then came some noise from the adjoining booths, upon which the Sheriff used to start up and exclaim, "I declare I do not think that I am treated with proper respect—verily I 'll go forth and quell this tumult—I 'll show them I am the first man in the county, and I'll commit somebody." With that "the first man in the county," with a step slightly accelerated by his resentment at a supposed indignity to himself, used to proceed in quest of a riot, but generally returned with a good-humoured expression of face, observing;—"It was only Mr. O'Connell, and I must say when I remonstrated with him, he paid me every sort of proper respect. He is quite a different person from what I had heard. But let nobody imagine that I was afraid of him. I 'd commit him, or Mr. Vesey Fitzgerald, if I was not treated with proper respect; for by virtue of my office I am the first man in the county." This phrase of the Sheriff became so familiar, that a set of wags, who in their intervals of leisure, had set about practising mimicry, emulated each other in repeating it, and succeeded in producing various pleasant imitations of the "first man in the county."

A young gentleman (Mr. Nicholas Whyte) turned this

talent to a very pleasant and useful account. He acted as agent to Mr. O'Connell, in a booth of which the chief officer, or Sheriff Deputy, as he is called, was believed to be a partisan of Mr. Fitzgerald, and used to delay Mr. O'Connell's tallies. A tumult would then ensue, and the deputy would raise his voice in a menacing tone against the friends of Mr. O'Connell. The High Sheriff himself had been accustomed to go to the entrance of the different booths and to command silence with his long-drawn and dismal ejaculations. When the deputy was bearing it with a high hand, Mr. Whyte would sometimes leave the booth, and standing on the outward edge of the crowd, just at the moment that the deputy was about to commit some partisan of Mr. O'Connell, the mimic would exclaim, in a death-bell voice, "Silence, Mr. Deputy, you are exceedingly disorderly—silence." The deputy being enveloped by the multitude, could not see the individual who thus addressed him, and believing it to be the Sheriff, sat down confounded at the admonition, while Mr. O'Connell's tally went rapidly on, and the disputed vote was allowed. These vagaries enlivened occupations which in their nature was sufficiently dull. But the Sheriff's booth afforded matter more deserving of note than his singularities. Charges of undue influence were occasionally brought forward, which exhibited the character of the election in its strongest colours. One incident we particularly remember. An attorney employed by Mr. Fitzgerald rushed in and exclaimed that a priest was terrifying the voters. This accusation produced a powerful effect. The counsel for Mr. O'Connell defied the attorney to make out his charge. The assessor very properly required that the priest should attend; and behold Father Murphy of Corofin! His solemn and spectral aspect struck every body. He advanced with fearlessness to the bar, behind which the Sheriff was seated, and inquired what the charge was which had been preferred against him, with a smile of ghastly derision. "You were looking at my voters," cried the attorney. "But I said nothing," replied the priest, "and I suppose that I am to be permitted to look at my parishioners." "Not with such a face

as that!" cried Mr. Dogherty, one of Mr. Fitzgerald's counsel. This produced a loud laugh; for, certainly, the countenance of Father Murphy was fraught with no ordinary terrors. "And this then," exclaimed Mr. O'Connell's counsel, "is the charge you bring against the priests. Let us see if there be an Act of Parliament which prescribes that a Jesuit shall wear a mask." At this instant, one of the agents of Mr. O'Connell precipitated himself into the room, and cried out, "Mr. Sheriff, we have no fair play—Mr. Singleton is frightening his tenants—he caught hold of one of them just now, and threatened vengeance against him." This accusation came admirably apropos. "What!" exclaimed the advocate of Mr O'Connell, "is this to be endured? Do we live in a free country, and under a constitution? Is a landlord to commit a battery with impunity, and is a priest to be indicted for his physiognomy, and to be found guilty of a look?" Thus a valuable set-off against Father Murphy's eyebrows was obtained. After a long debate, the assessor decided that, if either a priest or a landlord actually interrupted the poll, they should be indiscriminately committed, but thought the present a case only for admonition. Father Murphy was accordingly restored to his physiognomical functions. The matter had been scarcely disposed of, when a loud shout was heard from the multitude outside the Court-house, which had gathered in thousands, and generally preserved a profound tranquillity. The large window in the Sheriff's booth gave an opportunity of observing whatever took place in the square below; and attracted by the tremendous uproar, every body ran to see what was going on amongst the crowd. The tumult was produced by the arrival of some hundred freeholders from Kilrush, with their landlord, Mr. Vandeleur, at their head. He stood behind a carriage, and, with his hat off, was seen vehemently addressing the tenants who followed him. It was impossible to hear a word which he uttered: but his gesture was sufficiently significant: he stamped and waved his hat, and shook his clenched hand. While he thus adjured them, the crowd through which they were passing, assailed them with the cries, "Vote for your country

boys! Vote for the old religion!—Three cheers for liberty! Down with Vesey, and hurra for O'Connell!" These were the exclamations which rent the air, as they proceeded. They followed their landlord until they had reached a part of the square where Mr. O'Connell lodged, and before which a large platform had been erected, which communicated with the window of his apartment, and to which he could advance whenever it was necessary to address the people. When Mr. Vandeleur's freeholders had attained this spot, Mr. O'Connell rushed forward on the platform, and lifted up his arm. A tremendous shout succeeded, and in an instant Mr. Vandeleur was deserted by his tenants. This platform exhibited some of the most remarkable scenes which were enacted in this strange drama of "The Clare Election." It was sustained by pillars of wood, and stretched out several feet from the wall to which it was attached. Some twenty or thirty persons could stand upon it at the same time. A large quantity of green boughs were turned about it; and from the sort of bower which they formed, occasional orators addressed the people during the day. Mr. M'Dermot, a young gentleman from the county of Galway, of considerable fortune, and a great deal of talent as a speaker, used to harangue the multitude with great effect. Father Sheehan, a clergyman from Waterford, who had been mainly instrumental in the overthrow of the Beresfords, also displayed from this spot his eminent popular abilities. A Dr. Kenny, a Waterford surgeon, thinking that "the times were out of joint," came "to set them right." Father Maguire, Mr. Lawless, indeed the whole company of orators, performed on this theatre with indefatigable energy. Mirth and declamation, and anecdote and grotesque delineation, and mimicry, were all blended together for the public entertainment. One of the most amusing and attractive topics was drawn from the adherence of Father Coffey to Mr. Fitzgerald. His manners, his habits, his dress, were all selected as materials for ridicule and invective; and puns, not the less effective because they were obvious were heaped upon his name. The scorn and detestation with which he was treated by the mob, clearly proved that a priest

has no influence over them when he attempts to run counter to their political passions. He can hurry them on in the career into which their own feelings impel them, but he cannot turn them into another course. Many feelings occurred about this rostrum, which, if matter did not crowd too fast upon us, we should stop to detail. We have not room for a minute narration of all that was interesting at this election, which would occupy a volume, and must limit ourselves to one, but that a very striking circumstance. The generality of the orators were heard with loud and clamorous approbation, but, at a late hour one evening, and when it was growing rapidly dark, a priest came forward on the platform, who addressed the multitude in Irish. There was not a word uttered by the people. Ten thousand peasants were assembled before the speaker, and a profound stillness hung over the living, but almost breathless mass. For minutes they continued thus deeply attentive, and seemed to be struck with awe as he proceeded. Suddenly, we saw the whole multitude kneel down, in one concurrent genuflection. They were engaged in silent prayer, and the priest arose (for he too had knelt down on the platform,) they also stood up together from their orison. The movement was performed with the facility of a regimental evolution. We asked (being unacquainted with the language) what it was that had occasioned this extraordinary spectacle? and was informed that the orator had stated to the people that one of his own parishioners, who had voted for Mr. Fitzgerald, had just died; and he called upon the multitude to pray to God for the repose of his soul, and the forgiveness of the offence which he had committed in taking the Bribery Oath. Money, it seems, had been his inducement to give his suffrage against Mr. O'Connell. Individuals, in reading this, will exclaim, perhaps, against these expedients for the production of effect upon the popular passions. Let us observe in parenthesis, that the fault of all this (if it is to be condemned) does not lie with the Association, with the priesthood, or with the people, but with the law, which has, by its system of anomalies and alienations, rendered the national mind susceptible of such

impressions. But we proceed. Thus it was the day passed, and it was not until nearly nine o'clock that those who were actively engaged in the election went to dinner. There a new scene was opened. In a small room in a mean tavern, kept by a Mrs. Carmody, the whole body of leading patriots, counsellors, attorneys, and agents, with divers interloping partakers of election hospitality, were crammed and piled upon one another, while Mr. O'Connell sat at the head of the feast almost overcome with fatigue, but yet sustained by that vitality which success produces. Enormous masses of beef, pork, mutton, turkeys, tongues, and fowl were strewed upon the deal boards, at which the hungry masticators proceeded to their operations. For some time nothing was heard but the clatter of the utensils of eating, interrupted by an occasional hob-nobbing of "The Counsellor," who, with his usual abstinence, confined himself to water. The cravings of the stomach having been satisfied, the more intellectual season of potations succeeded. A hundred tumblers of punch, with circular slices of lemon, diffused the essence of John Barleycorn in profuse and fragrant steams. Loud cries for hot water, spoons, and materials, were everywhere heard, and huge jugs were rapidly emptied and replenished by waiters, who would have required ubiquity to satisfy all the demands upon their attention. Toasts were then proposed and speeches pronounced, and the usual "hip, hip, hurra!" with unusual accompaniments of exultation, followed. The feats of the day were then narrated;—the blank looks of Ned Hickman, whose face had lost all its natural hilarity, and looked at the election like a full moon in a storm: the shroud-coloured physiognomy of Mr. Samson; and the tears of Sir Edward O'Brien, were alternately the subjects of merriment. Mr. Whyte was then called upon for an imitation of the Sheriff, when he used to ride upon an elephant at Calcutta. But in the midst of this conviviality, which was heightened by the consciousness that there was no bill to be paid by gentlemen who were the guests of their country, and long before any inebriating effect

was observable, a solemn and spectral figure used to stride it, like the ghost of Hamlet, and the same deep church-yard voice which had previously startled our ears raised its awful peal, while it exclaimed "The wolf is on the walk. Shepherds of the people, what do you here? Is it meet that you should sit carousing and in joyance, while the freeholders remain unprovided, and temptation, in the shape of famine, is amongst them? Arise, I say arise from your cups,—the wolf, the wolf is on the walk!"

Such was the disturbing and heart-appalling adjuration of Father Murphy of Corofin, whose enthusiastic sense of duty never deserted him, and who, when the feast was unfinished, entered like the figure of Death which the Egyptians employed at their banquets. He walked round the room with a measured pace, like the envoy of another world, chasing the revellers before him, and repeating the same dismal warning—"The wolf, the wolf is upon the walk!" Nothing was comparable to the aspect of Father Murphy upon these occasions, except the physiognomy of Mr. Lawless. This gentleman, who had been usefully exerting himself during the whole day, somewhat reasonably expected that he should be permitted to enjoy the just reward of patriotism for a few hours without any nocturnal molestation. It was about the time that he had just commenced his second tumbler, and when the exhilarating influence of his eloquent chalices was beginning to display itself, that the dismal cry was wont to come upon him. The look of piteous despair with which he surveyed this unrelenting foe to conviviality, was almost as ghastly as that of his merciless disturber; and as, like another Tantalus, he saw the draughts of pleasantness hurried away, a schoolmaster, who sat by him, and who "was abroad" during the election, used to exclaim—

> ——"A labris sitiens fugientia captat
> Flumina."——

It was in vain to remonstrate against Father Murphy, who

insisted that the whole company should go forth to meet " the wolf upon the walk." Upon going down stairs, the lower apartments were found thronged with freeholders and priests. To the latter had been assigned the office of providing food for such of the peasants as lived at too great a distance from the town to return immediately home; each clergyman was empowered to give an order to the victuallers and tavern-keepers to furnish the bearer with a certain quantity of meat and beer. The use of whisky was forbidden. There were two remarkable features observable in the discharge of this office. The peasant, who had not tasted food perhaps for twenty-four hours, remained in perfect patience and tranquillity until his turn arrived to speak " to his reverence;" and the Catholic clergy continued with unwearied assiduity, and the most amiable solicitude, though themselves quite exhausted with fatigue, in the performance of this necessary labour. There they stayed until a late hour in the morning, and until every claimant had been contented. It is not wonderful that such men, animated by such zeal, and operating upon so grateful and so energetic a peasantry, should have effected what they succeeded in accomplishing. The poll at length closed: and, after an excellent argument delivered by the assessor, Mr. Richard Keatinge, he instructed the Sheriff to return Mr. O'Connell as duly elected. The Court-house was again crowded, as upon the first day, and Mr. Fitzgerald appeared at the head of the defeated aristocracy. They looked profoundly melancholy. Mr. Fitzgerald himself did not affect to disguise the deep pain which he felt; but preserved that gracefulness and perfect good temper which had characterized him during the contest, and which, at its close, disarmed hostility of all its rancour. Mr. O'Connell made a speech distinguished by just feeling and good taste, and begged that Mr. Fitzgerald would forgive him, if he had upon the first day given him any sort of offence. Mr. Fitzgerald came forward and unaffectedly assured him, that whatever was said should be forgotten. He was again hailed with universal acclamation, and delivered a speech, which could not surpass, in good

judgment and persuasiveness, that with which he had opened the contest, but was not inferior to it. He left an impression, which hereafter will, in all probability, render his return for the county of Clare a matter of certainty; and, upon the other hand, we feel convinced that he was himself carried away from the scene of that contention, in which he sustained a defeat, but lost no honour, a conviction that not only the interests of Ireland, but the safety of the empire, require that the claims of seven millions of his fellow-citizens should be conceded. Mr. Fitzgerald, during the progress of the election, could not refrain from repeatedly intimating his astonishment at what he saw, and from indulging in melancholy forebodings of the events, of which these incidents are perhaps but the heralds. To do him justice, he appeared at moments utterly to forget himself, and to be absorbed in the melancholy presages which pressed themselves upon him. "Where is all this to end?" was a question frequently put in his presence, and from which he seemed to shrink.

At the close of the poll, Mr. Sheil delivered a speech, in which the views of his particular party were expressed; and as no faithful account of what he said upon that occasion appeared in the London papers, an extract from his observations will be justified not by any merit in the composition as a piece of oratory, but by the sentiments of the speaker, which appear to us to be just, and were suggested by the scenes in which he had taken a part. The importance of the subject may give a claim to attention, which in other instances the speaker may not be entitled to command. He spoke in the following terms:—

"I own that I am anxious to avail myself of this opportunity to make a reparation to Mr. Fitzgerald. Before I had the honour of hearing that gentleman, and of witnessing the mild and conciliatory demeanour by which he is distinguished, I had in another place expressed myself with regard to his political conduct, in language to which I believe that Mr. Fitzgerald referred upon the first day of the election, and which was perhaps too deeply tinctured with that virulence,

which is almost inseparable from the passions by which this country is so unhappily divided. It is but an act of justice to Mr. Fitzgerald to say, that, however we may be under the necessity of opposing him as a member of an Administration hostile to our body, it is impossible to entertain towards him a sentiment of individual animosity; and I confess, that, after having observed the admirable temper with which he encountered his antagonists, I cannot but regret that, before I had the means of forming a just estimate of his personal character, I should have indulged in remarks, in which too much acidity may have been infused. The situation in which Mr. Fitzgerald was placed, was peculiarly trying to his feelings. He had been long in possession of this county. Though we considered him as an inefficient friend, we were not entitled to account him an opponent. Under these circumstances it may have appeared harsh, and perhaps unkind, that we should have selected him as the first object for the manifestation of our power; another would have found it difficult not to give way to the language of resentment and of reproach, but so far from doing so, his defence of himself was as strongly marked by forbearance as it was by ability. I thought it, however, not altogether impossible that before the fate of this election was decided, Mr. Fitzgerald might have been merely practising an expedient of wily conciliation, and that when he appeared so meek and self-controlled in the midst of a contest which would have provoked the passions of any ordinary man, he was only stifling his resentment, in the hope that he might succeed in appeasing the violence of the opposition with which he had to contend. But Mr. Fitzgerald, in the demeanour which he has preserved to-day, after the election has concluded with his defeat, has given proof that his gentleness of deportment was not affected and artificial; and, now, that he has no object to gain, we cannot but give him as ample credit for his sincerity, as we must give him for that persuasive gracefulness by which his manners are distinguished. Justly has he said that he has not lost a friend in this country; and he might have added that, so far from having incurred any

diminution of regard among those who were attached to him, he has appeased to a great extent the vehemence of that political enmity in which the associate of Mr. Peel was not very unnaturally held. But, Sir, while I have thus made the acknowledgment which was due to Mr. Fitzgerald, let me not disguise my own feelings of legitimate, but not I hope offensive exultation at the result of this great contest, that has attracted the attention of the English people beyond all example. I am not mean enough to indulge in any contumelious vaunting over one who has sustained his defeat with so honourable a magnanimity. The victory which has been achieved, has been obtained not so much over Mr. Fitzgerald, as over the faction with which I excuse him to a great extent for having been allied. A great display of power has been made by the Catholic Association, and that manifestation of its influence over the national mind, I regard as not only a very remarkable, but a very momentous incident. Let us consider what has taken place, in order that we may see this singular political phenomenon in its just light. It is right that we attentively survey the extraordinary facts before us, in order that we may derive from them the moral admonitions which they are calculated to supply. What then has happened? Mr. Fitzgerald was promoted to a place in the Duke of Wellington's councils, and the representation of this great County became vacant. The Catholic Association determined to oppose him, and at first view the undertaking seemed to be desperate. Not a single Protestant gentleman could be procured to enter the lists, and in the want of any other candidate, Mr. O'Connell stood forward in behalf of the people. Mr. Vesey Fitzgerald came into the field encompassed with the most signal advantages. His father is a gentleman of large estate, and had been long and deservedly popular in Ireland. Mr. Fitzgerald himself, inheriting a portion of the popular favour with a favourite name, had for twenty years been placed in such immediate contiguity with power, that he was enabled to circulate a large portion of the influence of Government through this

fortunate district. There is scarcely a single family of any significance among you, which does not labour under Mr. Fitzgerald's obligations. At this moment it is only necessary to look at him, with the array of aristocracy beside him, in order to perceive upon what a high position for victory he was placed. He stands encompassed by the whole gentry of the County of Clare, who, as they stood by him in the hour of battle, come here to cover his retreat. Almost every gentleman of rank and fortune appears as his auxiliary; and the gentry, by their aspect at this instant, as well as by their devotedness during the election, furnish evidence that in his person their own cause was to be asserted. To this combination of favourable circumstances,—to the promising friend, to the accomplished gentleman, to the eloquent advocate, at the head of all the patrician opulence of the County, what did we oppose? We opposed the power of the Catholic Association, and with that tremendous engine we have beaten the Cabinet Minister, the phalanx of aristocracy by which he is surrounded, to the ground. Why do I mention these things? Is it for the purpose (God forbid that it should) of wounding the feelings or exasperating the passions of any man? No! but in order to exhibit the almost marvellous incidents which have taken place, in the light in which they ought to be regarded, and to present them in all their appalling magnitude. Protestants who hear me, Gentlemen of the County of Clare, you whom I address with boldness, perhaps, but certainly not with any purpose to give you offence, let me entreat your attention. A Baronet of rank and fortune, Sir Edward O'Brien, has asked whether this was a condition of things to be endured; he has expatiated upon the extraordinary influence which has been exercised in order to effect these signal results; and, after dwelling upon many other grounds of complaint, he has with great force inveighed against the severance which we have created between the landlord and tenant.—Let it not be imagined that I mean to deny that we have had recourse to the expedients attributed to us; on the contrary, I avow it. We have put a great engine into action, and

applied the entire force of that powerful machinery which the law has placed under our control. We are masters of the passions of the people, and we have employed our dominion with a terrible effect. But, Sir, do you, or any man here, imagine that we could have acquired this dreadful ability to sunder the strongest ties by which the different classes of society are fastened, unless we found the materials of excitement in the state of society itself? Do you think that Mr. Daniel O'Connell has himself, and by the single powers of his own mind, unaided by any external co-operation, brought the country to this great crisis of agitation? Mr. O'Connell, with all his talents for excitation, would have been utterly powerless and incapable, unless he had been allied with a great conspirator against the public peace; and I will tell you who that confederate is—it is the Law of the land itself that has been Mr. O'Connell's main associate, and that ought to be denounced as the mighty agitator of Ireland. The rod of oppression is the wand of this potent enchanter of the passions, and the book of his spells is the Penal Code. Break the wand of this political Prospero, and take from him the volume of his magic, and he will avoke the spirits which are now under his control no longer. But why should I have recourse to illustration which may be accounted fantastical, in order to elucidate what is in itself so plain and obvious? Protestant gentlemen, who do me the honour to listen to me, look I pray you, a little dispassionately at the real causes of the events which have taken place amongst you. I beg of you to put aside your angry feelings for an instant, and believe me that I am far from thinking that you have no good ground for resentment. It must be most painful to the proprietors of this County to be stripped in an instant of all their influence; to be left destitute of all sort of sway over their dependents, and to see a few demagogues and priests usurping their natural authority. This feeling of resentment must be aggravated by the consciousness that they have not deserved such a return from their tenants; and as I know Sir Edward O'Brien to be a truly benevolent landlord, I can well conceive

that the apparent ingratitude with which he was treated, has added to the pain which every landlord must have experienced; and I own that I was not surprised to see tears bursting at his eyes, while his face was inflamed with the emotions to which it was not in human nature that he should not give way. But let Sir Edward O'Brien, and his fellow-proprietors, who are gathered about him, recollect, that the facility and promptitude with which the peasantry have thrown off their allegiance, are owing not so much to any want of just moral feeling on the part of the people, as to the operation of causes for which the people are not to blame. In no other country, except in this, would such a revolution have been effected. Wherefore?—Because in no other country are the people divided by the law from their superiors, and cast into the hands of a set of men, who are supplied with the means of national excitement by the system of Government under which we live. Surely, no man can believe that such an anomalous body as the Catholic Association could exist, excepting in a community which had been alienated from the State by the State itself. The discontent and the resentment of seven millions of the population have generated that domestic government, which sways through the force of public opinion, and uses the national passions as the instruments for the execution of its will From that body there has now been issuing, for many years, a continuous supply of exciting matter, which has overflowed the nation's mind. The lava has covered and inundated the whole country, and is still flowing, and will continue to flow from its volcanic source. But, if I may so say the Association is but the crater in which the fiery matter finds a vent, while its fountain is in the depth of the law itself. It would be utterly imposible, if all men were placed upon an equality of citizenship, and there were no exasperating distinctions amongst us, to create any artificial causes of discontent. Let men declaim for a century with far higher powers than any Catholic agitator is endowed with, and if they have no real ground of public grievance to rest upon, their ha-

rangues will be empty sound and idle air. But when what they tell the people is true—when they are sustained by substantial facts, then effects are produced, of which what has taken place at this election is only an example. The whole body of the people being previously inflamed and rendered susceptible, the moment any incident, such as this election, occurs, all the popular passions start simultaneously up, and bear down every obstacle before them. Do not, therefore, be surprised that the peasantry should thus at once throw off their allegiance to you, when they are under the operation of emotions which it would be wonderful if they could resist. The feeling by which they are now actuated, would make them not only vote against their landlords, but would make them rush into the field, scale the batteries of a fortress, and mount the breach; and, Gentlemen, give me now leave to ask you, whether, after a due reflection upon the motives by which your vassals (for so they are accounted) are governed, you will be disposed to exercise any measure of severity in their regard. I hear it said, that before many days go by, there will be many tears shed in the hovels of your slaves, and that you will take a terrible vengeance of their treason. I trust in God that you will not, when your own passions have subsided, and your blood has had to cool, persevere in such a cruel, and let me add, such an unjustifiable determination. Consider, Gentlemen, whether a great allowance should not be made for the offence which they have committed. If they are, as you say they are, under the influence of fanaticism, I would say to you, that such an influence affords many circumstances of extenuation, and that you should forgive them, 'for they know not what they do.' They have followed their priests to the hustings, and they would follow them to the scaffold. But you will ask, wherefore should they prefer their priests to their landlords, and have purer reverence for the altars of their religion, than for the counter in which you calculate your rents? Ah, Gentlemen, consider a little the relation in which the priest stands towards

the peasant. Let us put the priest into one scale, and the landlord into the other, and let us see which should preponderate. I will take an excellent landlord and an excellent priest. The landlord shall be Sir Edward O'Brien, and the priest shall be Mr. Murphy of Corofin. Who is Sir Edward O'Brien? A gentleman who has a great fortune, who lives in a splendid mansion, and who, from the windows of a palace, looks upon possessions almost as wide as those which his ancestors beheld from the summit of their feudal towers. His tenants pay him their rent twice a-year, and they have their land at a moderate rate. So much for the landlord. I come now to Father Murphy of Corofin. Where does he reside? In an humble abode, situated at the foot of a mountain, and in the midst of dreariness and waste. He dwells in the midst of his parishioners, and is their benefactor, their friend, their father. It is not only in the actual ministry of the sacraments of religion that he stands as an object of affectionate reverence among them. I saw him, indeed, at his altar, surrounded by thousands, and felt myself the influence of his contagious and enthusiastic devotion. He addressed the people in the midst of a rude edifice, and in a language which I did not understand: but I could perceive what a command he has over the minds of his devoted followers. But it is not merely as the celebrator of the rites of Divine Worship that he is dear to his flock; he is their companion, the mitigator of their calamities, the soother of their afflictions, the trustee of their hearts, the repository of their secrets, the guardian of their interests, and the sentinel of their death-beds. A peasant is dying—in the midst of the winter's night, a knock is heard at the door of the priest, and he is told that his parishioner requires his spiritual assistance —the wind is howling, the snow descends upon the hills, and the rain and storm beat against his face; yet he goes forth, hurries to the hovel of the expiring wretch, and taking his station beside the mass of pestilence of which the bed of straw is composed, bends to receive the last whisper which unloads the heart of its guilt, though the lips of the sinner should be tainted with disease, and he should exhale mortality in his

breath. Gentlemen, this is not the language of artificial declamation—this is not the mere extravagance of rhetorical phrase. Every word of this, is the truth—the notorious, palpable, and unquestionable truth. You know it, every one of you know it to be true; and now let me ask you, can you wonder for a moment that the people should be attached to their clergy, and should follow their ordinances as if they were the injunctions of God? Gentlemen, forgive me, if I venture to supplicate, on behalf of your poor tenants, for mercy to them. Pardon them, in the name of that God who will forgive you your offences in the same measure of compassion which you will show to the trespasses of others. Do not, in the name of that Heaven before whom every one of us, whether landlord, priest, or tenant, must at last appear—do not prosecute these poor people: don't throw their children out upon the public road—don't send them forth to shiver and to die. For God's sake, Mr. Fitzgerald, and for your own sake, and as you are a gentleman and a man of honour, interpose your influence with your friends, and redeem your pledge. I address myself personally to you. On the first day of the election you declared that you would deprecate all persecution by the landlords, and that you were the last to wish that harsh and vindictive measures should be employed. I believe you—and now I call upon you to redeem that pledge of mercy, to fulfil that noble engagement, to perform that great moral promise. You will cover yourself with honour by so doing, in the same way that you will share in the ignominy that will attend upon any expedients of rigour. Before you leave this country to assume your high functions, employ yourself diligently in this work of benevolence, and enjoin your friends with that eloquence of which you are the master, to refrain from cruelty, and not to oppress their tenants. Tell them, Sir, that instead of busying themselves in the worthless occupation of revenge, it is much fitter that they should take the political condition of their country into their deep consideration. Tell them that they should address themselves to the Legislature, and implore a remedy for these

frightful evils. Tell them to call upon the men, in whose hands the destiny of this great empire is placed, to adopt a system of conciliation and of peace, and to apply to Ireland the canon of political morality, which has been so powerfully expressed by the poet—'pacis imponere morem.' Our manners, our habits, our laws must be changed. The evils is to be plucked out at the root. The cancer must be cut out of the breast of the country. Let it not be imagined that any measure of disfranchisement, that any additional penalty, will afford a remedy. Things have been permitted to advance to a height from which they cannot be driven back. Protestants, awake to a sense of your condition. Look round you. What have you seen during this election? Enough to make you feel that this is not mere local excitation, but that seven millions of Irish people are completely arrayed and organized. That which you behold in Clare, you would behold, under similar circumstances, in every county in the kingdom. Did you mark our discipline, our subordination, our good order, and that prophetic tranquillity, which is far more terrible than any ordinary storm! You have seen sixty thousand men under our command, and not a hand was raised, and not a forbiden word was uttered in that amazing multitude. You have beheld an example of our power in the almost miraculous sobriety of the people. Their lips have not touched that infuriating beverage to which they are so much attached, and their habitual propensity vanished at our command. What think you of all this? Is it meet and wise to leave us armed with such a dominion? Trust us not with it; strip us of this appalling despotism; annihilate us by concession; extinguish us with peace; disarray us by equality; instead of angry slaves, make us contented citizens; if you do not, tremble for the result."

Before we proceed to a relation of the consequences of Mr. O'Connell's return for the county of Clare, which excited a greater commotion in the political circles, than any event which had happened for some years, we shall briefly touch upon another election, in which the tables were turned, a

Protestant being recommended by Mr. O'Connell, and the Catholic candidate rejected.

The Speech with which our gracious King opened the following Session of Parliament had much less chance of living in men's memories than that of his illustrious demented, misguided predecessor, but for its notice of Ireland. Its statements and promises might scarcely have had the "nine days' marvel" of any other vague and idle story, had it not contained the august intimation, that *Tithes* should in future be called Land Tax, and collected as *rent*, just to satisfy the Irish people; and that his Majesty was very angry with Mr. O'Connell. Beneficent kindness!—to make the landlord the idle parson's proctor, without the proctor's profits;—awful ire!—to silence the demand of millions for National Independence! These are things, indeed, to make the speech remembered.

We remember, too, when, last year, this Monarch met his Parliament, he called with "deep regret" for powers to crush Irish Agitation, and his Ministers produced a legislative monster for the purpose, which his Parliament obsequiously adopted. It was let loose upon the country, and he tells us now that its victim has been generally tranquil, and that *in the provinces* appearances are much more favourable. This is a triumph;—here has the law, "so frightful that it could never become a precedent," been fully "vindicated"—by its success. But where then is the *justice* of his Majesty's gracious "indignation?" Alas! Agitation is unscathed, and "the united and vigorous exertions of the loyal and well-affected are, still, *imperiously required*," to prevent its proving "fatal to the power and safety of the United Kingdom." And This is the moral of *Coercion*.

There is an instructive chapter on the Art of Coercion in the life of Charles Bourbon, formerly of France. Like the kings who have standing armies, he knew better than the people themselves what was good for them, and naturally wished to carry matters his own way. He met his Parliament once, with expressions of "deep regret and just indignation,"

at " the continuance of attempts to excite the people" to contumacy, and then proceeded by Coercive Ordonnances against the Press, to put an end to the system of Agitation. Unfortunately for the reputation of the French people, they resisted, with force, the authority and army of their king, and expelled him and his race for ever from the throne. Their conduct on this occasion must be severely censured by every loyal servant of the State; and it proves them to be still deficient in that civilization which has rendered modern Englishmen so much more submissive to the laws than their " sturdy ancestors." For our part, we prefer the policy pursued by our countrymen in their opposition to Coercion. It is peaceful, constitutional, and effective.

We turn from comment on the Speech itself, to an illustration of this Irish policy, elicited by it. No Ministry heretofore have had the folly and audacity to frame a royal speech at once so insulting and unconstitutional—so vague in promise, so insolent in menace. The feelings it excited in Ireland, however, partook more of contempt than of resentment—it proclamed the failure of the worst act of British power, while it betrayed unmitigated hostility to the wishes of the people. Its effect was, therefore, to fan their zeal and give their minds a more fixed and fierce determination to persist in their demands. Having defied the utmost rigour of the law to quell the spirit of Nationality growing within them, the denunciation of Ministers whom they despised, could scarcely shake their resolution, though it might goad them on to increased exertion. Fortunately an opportunity soon presented itself of indicating the impression it had produced. The representation of the Borough of Dungarvan was vacant; the late Mr. Lamb, a member of the ministry, had been returned for it at the last general election, and he was the only representative connected with the Government, or whose principles or pledges concurred entirely with their policy, elected by an Irish constituency on the occasion. The borough has been, in fact, a stronghold of the Whigs hitherto, and they used every effort to secure the return of a supporter at this election;

but the people were roused to a sense of their public duty, and their present representative is a bold, uncompromising Repealer.

This triumph, however, was not effected without a struggle; the result was of too much importance to the Government to leave the popular will unbiassed, and as the circumstances of the contest involve some considerations of general importance, we shall state them briefly. The successful candidate was Mr. Ebenezer Jacob, a protestant gentleman, possessed of moderate property in the county Wexford, and a member of a family remarkable for their hostility to liberal principles, but himself, for years, a zealous and earnest, though unobtrusive supporter of the popular cause,—a member of the Catholic Association, and of the various political societies that have succeeded it, and been suppressed—seldom taking part in their debates, but always promoting their objects by his exertions. Personally he was a stranger to the people of Dungarvan, but he was recommended by Mr. O'Connell, and supported by other leaders of the people, who knew his principles and relied on his integrity. His opponent was Mr. Pierse George Barron, a Catholic, whose family possess considerable local influence, and whose private character is much esteemed. He is however, one of that anomalous class of Irish politicians, aptly enough termed *Orange Papists*,—not exactly anti-liberal, but with the rust of the broken shackles of creed still festering unhealthily in their opinions,—with a morbid, uncertain, dissatisfied leaning towards Toryism and Aristocracy,—in a word, creatures who are

"*Servile* though *sore* !"

He was the nominee of the Duke of Devonshire, backed by all the influence of the Government, and supported even by the Conservatives; every Protestant elector in the town, from the parson to the parish clerk,* having voted for him. He

* This latter official, it is said, rather awkwardly blurted the motive of his vote, by declaring at the poll that he voted for his reverend oracle, but he was allowed to correct himself and name Mr. Barron.

had thus vast advantages in his favour, in all but public principle. He had, besides, the sanction of the King's speech for his opposition to repeal; his adversary was an outlaw of the Court and Treasury; yet he failed; he was defeated by a power greater than the King's.

Let us contemplate the principles placed at issue between these men:—On the one side we find the candidate, a Catholic, concurring with almost the entire constituency in creed, and with the sympathies of suffering from a common wrong still active in their minds, intimately known for years to the electors, and esteemed for his private virtues. These personal claims were sustained by the strenuous support* of the most powerful nobleman in Ireland, almost the sole proprietor of the borough, an amiable landlord, and hitherto accustomed to exact implicit deference to his views from his tenants in the exercise of the franchise. Add to this the covert and proclaimed influence of the Government, which were equally exerted in his favour; the seductions of private interest were practised with some, and the rewards of public patronage promised to others. Even the intolerance of the old oppressors' faction contributed its aid, and the votaries of Glenco voted for the slavish papist. The sordid lure of wealth, too, filled his ranks with those traffickers in consience who barter their salvation for a mess of pottage; and he thus enlisted the suffrages of religious sympathy, feudal fears and habit, self-interest, corrupt ambition, the illiberal spleen of bigotry, and the profligacy of avarice in his support. These were powerful motives; alas! that human nature should so frequently obey them.

On the other side we find a Protestant, and a stranger, with no claim but public principle, and without even the showy

* Colonel Currie, the Duke of Devonshire's agent, actually canvassed for Mr. Barron, and frequently placed himself in the polling booths, as a significant *Memento* of pay-day terrors to the poor patriots under his authority; yet many a noble fellow voted manfully for the Repealer, though with the fear of an ejectment for his helpless family before his eyes.

fame of oratory, or the reputation of profound political knowledge, to recommend him, but a plain and honest man, devoted to the independence of his country. The titled were not his patrons, the rulers of the land were not his supporters, the hollow friendship of intolerance hailed him not, nor were his coffers opened to reward corruption. But he had earned the approval of the friends of Ireland, and the people of Dungarvan received him as their chosen. Never was there an election in which the integrity of the people was more important, and never did they more nobly maintain it. The return of Mr. Jacob has incalculably accelerated the national independence necessary for Irish freedom and prosperity, and has proudly rebuked the insult offered to the nation.

A late election in Newfoundland has shewn how far intelligence has outrun prejudice, and the people have outgrown the mental trammels that have enslaved them. Let us now point to Dungarvan, as an example not less honourable. It demonstrates that at least the Catholics of Ireland have resolved that the religious equality established by law shall be no mockery; that only the ascendency of reason shall prevail, and merit be the claim to popular favour. The Catholic people of Dungarvan have preferred the patriotic Protestant to the servile Catholic; will the Irish Protestants acknowledge a principle less liberal and disinterested? In this instance we admit that the Protestant interests of Dungarvan* espoused the cause of the Catholic, but then, he was the opponent of Irish freedom; will they also deliberately avow themselves traitors to the country of their birth? The Protestants must henceforth array themselves openly in the cause of foreign domination, or they must abandon for ever the aspirations of ascendency, and

* We must exempt from this censure the members of the Beresford family connected with this borough; on this occasion they remained perfectly neutral; unable to sanction the views of either candidate, they consistently supported neither, and they have acted with the same manliness in the county Waterford, leaving their tenants at perfect freedom to vote according to their wishes.

learn to respect the interests of their country above the selfish considerations of party. Religion must from henceforth cease to be the watchword of political faction, and as all men are equal before their Creator, so must they be in human government. We will not believe, therefore, that such examples as that of Dungarvan can pass powerless before the Protestant mind of Ireland; furious bigots may declaim on the "horrors of Popery," but honest men will learn to distinguish between the tales of history and the lessons of experience. The love of country is a more powerful, because a more sacred sentiment than the mere desire for political ascendency of creed; yet the crime imputed to the Irish Catholic is his subserviency to the ministers of his religion, and their desire for supremacy. The man has lived a hundred years too late who can now believe this calumny on either the clergy or the people; every day affords high proof of its falsehood. It is notorious, that in Dungarvan the Catholic clergy have heretofore been the opponents of Repeal, and at the last general election they warmly supported Mr. Lamb; but on this occasion they remained neutral; they perceived that the spirit of nationality had deeply, unchangeably imbued the people, and if they did not exclaim, "*Vox populi, vox Dei!*" yet they bowed before the general will, and acknowledged its authority.* This was

* A correspondent has supplied us with the following illustration of the power ofpopular feeling in Dungarvan. He states that "previous to the last general election, on the day when Mr. O'Connell was expected into Dungarvan to render Mr. Galway, then the popular candidate, assistance, for which the conduct of the latter, on *this* occasion, has shewn him so deeply grateful, some twenty of the fishermen, most of them voters, were brought by the under-agents of the Whig party into a back yard—there plied with whiskey until they became almost frantic from intoxication, and then were let loose, just as Mr. O'Connell had entered the town, with instructions to fling stones into any crowd, and at any carriage they might see. Their compliance with these orders would have cost them their lives by the hands of the people, but for the personal interference of Mr. O'Connell, whose carriage, we need hardly say, was the one indicated; and they were compelled to return quietly home, having hurt some people in the crowd with various missiles. Since that period these unfortunate men had been in a manner excommunicated by their former comrades. All intercourse was with them avoided, and it was with

wise; it was consistent with their venerable character, and it demonstrates beyond dispute, the political independence of the people; what Protestant can contemplate it, and yet waver with idle fears! If the enjoyment of pomp and power did not, like a Lethe, deaden the natural sympathies of the great; if the adder of faction could hear the voice of reason, we might expect an altered policy towards Ireland, or that union of her countrymen so essential to their welfare. This election proclaims to the authorities that their power *against* the people is but a shadow; it removes for ever from the timid and the intolerant all pretext of estrangement from the people.

We will now advert to the proceedings which were the result of the Clare Election, to which the attention of every man in the united kingdom was at that time directed; and had it been a sufficiently lengthy process, it would have rivetted the eyes of all Europe. After a few days' polling, Mr. Fitzgerald gave up the contest. It was argued as a question of law before the Sheriff and his Assessor, that as Mr. O'Connell could not take the oaths required from all members of Parliament, he could not be returned as duly elected. The objection was ludicrous enough, and must have called an internal smile from the great lawyer against whom it was urged. Whether he should take the oaths or not was a matter between himself and his conscience. It was known very well that he would not take them; but whether he intended to do so or not, was not a matter for the consideration of the Sheriff.

The victory was now practically gained; and the events which followed, although greater in the eye of the world, derive their importance from being the formal announcement that the work was completed. In the following July, the act

difficulty that they obtained permission to earn their precarious subsistence in company with the other fishermen. The anxiety to wipe off this stigma made them doubly active during the late election. The voters amongst them polled to a man for Mr. Jacob, and the entire body were unceasing in their exertions as volunteer agents. The result of the election has wiped the blot from their escutcheon, and they are now re-admitted to all the rights of free fishermen of Dungarvan."

against the Association expired; and that body was, of course, immediately remodelled in its previous form. Care was taken, however, not to overlook the advantage which had been derived from spreading the Association over the country. Liberal clubs were established in the counties, under the authority of the Association; and, under these, were parish clubs on the same principle. These were to keep in view, as their principal object, "the keeping every man in constant readiness for future elections, maintaining the registries, inquiring into and giving information of any persecution of freeholders, &c., and promoting good order, perfect subordination to the laws, political knowledge," &c. At the same time, a set of pledges, to be taken by all candidates for Parliament who should hope to be elected by the Catholics, was prepared by the Association, and circulated among the clubs. The Ascendency party, in the meantime, acknowledged the justice of the measures of the Association by imitating them. They established their Brunswick clubs, with branches resembling the county and parish clubs of the Catholics. The Orange lodges were opened on the revival of the Association in its old form; and they even went so far in mimicry as to establish a Rent—a fund to provide the means of keeping down the Catholics. Under this system, a considerable portion of the north of Ireland was banded and organized, to oppose the Catholic claims. It was the purpose of some zealous members of the opposite party to shew its superior power, and popular influence, and to organize the Catholics of the north, by a peaceful crusade into the enemy's country. It was for this purpose that Mr. Lawless—"honest Jack Lawless"—a man of greater zeal than prudence—made a progress towards the north, at the head of an organized multitude from the Catholic districts. The intention was harmless but highly imprudent; and most people saw the danger of bringing in contact with each other, elements so highly combustible. The training of the Catholics to good order had been admirably accomplished. A multitude, said

to have amounted to 140,000, preserved perfect order within its ranks, and avoided all aggression and outrage. But this temper, so happily established, should not have been so severely tried. In the enthusiasm of the moment, Mr. Lawless seems to have overlooked the awful risk encountered; but when he looked over the great army of organized followers at his back, consisting of men who had been all wronged and insulted, just passing the bounds of an enemy's country, the fearful consequences which might ensue, seemed to have rushed on his mind at once. He suddenly mounted his horse, dashed through the crowd, and fled.

In this and other instances, the Association saw more urgently than ever, the necessity of making the bonds of good order still more firm. After the Clare election, induced by the example of their Orange opponents, the inhabitants of Tipperary re-organized many of those secret societies and hostile public assemblies, which had been so often ground of anxiety to the Association.

Whatever the fury of party spirit, and religious animosity, may have been induced to urge against Mr. O'Connell, it still can not be questioned, that to him was Ireland indebted for its pacification. He appeared to hold in his possession a spell, by which, like some great magician, he could control the actions of the people, reducing the turbulent to quietude, and the disaffected to a due obedience to the laws. In no instance was this power more successfully put forth than in the manner in which he suppressed the riotous proceedings in the county of Tipperary, which had arisen to that alarming height, as to threaten the peace of the whole county. In this pressing emergency, Mr. O'Connell was called upon by the Catholic Association to issue an Address to the people of Tipperary, cautioning them against holding large assemblies; and the following is his answer to the request, which was made to him in the name of the Catholic population of Ireland.

Darrinane Abbey, Oct. 1, 1828.

My dear O'Gorman—I had the pleasure of receiving your letter by the last post, containing the Resolution of the Catholic Association of Ireland, expressive of the wish of that body, that I should draw up an Address to the people of the county of Tipperary, in order to induce them to desist from holding large meetings.

I beg you will be so good as to communicate to the Association, that I feel greatly honoured by that patriotic and illustrious body making any demand on my time, or exertions. I consider their request as a demand, and am ready to devote the best energies of my frame, and all the faculties of my mind, to the performance of any duty, with which they may honour me. I have accordingly prepared the draft of an Address to the people of Tipperary, and transmit it along with this letter. I have been anxious to fulfil the intentions of the Association; if I should succeed, the merit of my attempt will rest with that body; if I fail, the fault will be only mine; nor will the Association be involved in the guilt of any oppressions of mine. I am solely responsible for the sentiments contained in the Address. I am quite convinced, however, that the people of Tipperary will desist from holding large meetings, the moment they learn that such meetings do not any longer obtain the approbation of the Catholic Association. The people of Tipperary must be too well acquainted with the patriotism and intelligence of the Catholic Association of Ireland not to place the most implicit confidence in that body; they certainly will comply with our request. We will thus protect and preserve the people from going further, than they would themselves wish, and from uselessly risking the public peace, and putting in danger the approaching success and triumph of the public cause. I am, I repeat it, quite convinced, that there will be no more of those meetings; but, if there should, we must then denounce to all honest men, and to the condemnation of the patriotic and intelligent portion of the Irish people, the guilt and folly of despising our advice,

and neglecting our counsel. But, no ! it will be quite unnecessary, and those meetings, which we now condemn will certainly cease.

I have the honour to be,

Your very faithful and sincere friend,

DANIEL O'CONNELL.

N. P. O'Gorman, Esq.
Secretary to the Catholics of Ireland.

As a public document, the Address of Mr. O'Connell to the people of Tipperary, has scarcely its parallel, for argumentative reasoning, and a deep knowledge of the character of the people whom he was addressing. The effect was almost instantaneous ; a profound tranquillity was restored to the very heart of the turbulence of Ireland ; even the Judges on the Circuits, everywhere congratulated the magistrates on the small number of crimes which appeared to be committed ; and all this was the work of one man, whom his enemies represented as the disturber, the agitator, the foe to the peace of Ireland.

The following is this celebrated Address :—

TO THE HONEST AND WORTHY PEOPLE OF THE COUNTY OF TIPPERARY.

Darrinane Abbey, 30th Sept., 1828.

BELOVED BROTHERS—It was late last night when I received the command of the Catholic Association of Ireland to address you. My first business this morning is thus to obey that command.

I address you, in the first place, with the most heartfelt affection and gratitude. I have laboured already twenty-eight years in the great " Catholic Cause," and I have at length been rewarded for it. By whom have I been so rewarded ?

People of the County of Tipperary, by you.

Yes—you have rewarded me. I will tell you how : you

obeyed my advice as if it were a command. I advised you to give up factious fights and quarrels—you have given them up. I advised you to abstain from party feuds and riots—you have abstained from them. I advised you to forgive one another, and to be reconciled to each other—you have, at my advice, forgiven each other, and have become friends and brothers. My friends, my brothers I thank you. I advised you to cease from injuring your fellow-creatures, and, above all, to shudder lest you should continue to offend the great and good God, Oh! may that merciful God, who certainly will one day judge us all for eternal bliss or everlasting misery—may that merciful and good God pour down his choicest blessings on the honest and worthy people of the county of Tipperary.

You have obeyed my advice—you have made peace amongst yourselves—you have prevented the recurrence of Whiteboy crimes or nocturnal outrages. How sincerely do I thank you. Persevere in that course, my dear friends—my beloved brothers. We will then be able, as we promised at the Clonmel Meeting, to open the gaol door, and fling the key into the Suir.

But, my beloved brothers and friends, I have now again to advise you. In making peace, you have held large Meetings. My opinion is, that you were right at first in holding such Meetings, because you held them, as I advised, in perfect obedience to the law, and without the least violence or outrage to any body. You were so kind as to call yourselves my Police. Surely no Police ever behaved themselves half so well, or kept the peace with half so much kindness and good humour.

But the time is come to discontinue these Public Meetings. For the present year, let us have no more of them.

Halt, therefore, my beloved friends—halt, my dear brothers. I give you the word of command. Halt, and, for the present, let those public and general Meetings be discontinued.

In the meantime, depend upon it that the Catholic Association will not slumber over your wrongs. I myself shall not be

idle. We will make our arrangements peaceably and constitutionally, but perseveringly and vigorously, to assert your rights and so obtain for the Catholics of Ireland that justice which is due to us, and which is all we want.

Will you not listen to my voice? Will you not follow the advice I give you? I venture to promise that you will listen to the advice that comes from a friend—from a brother, who has no other object under heaven but to obtain justice for the professors of the Catholic faith, and *Liberty* and *Happiness* for the people of Ireland.

You know that I am your friend—you know that my life has been devoted to your service—you know that I have been the active enemy of Orange injustice and Orange oppression. I have opposed the Orangemen, laughed at them, and with the aid of the Catholic Association, protected many of the Catholics of the North against them, and brought the guilty to shame, and some of them to punishment.

I am your friend. I am the enemy of oppression, bigotry, and tyranny. As your friend, I advise you—I entreat you—allow me to add, I order you, to discontinue large and general meetings for the present year, and not to expose yourselves to the machinations of your enemies, or the treachery of pretended friends.

In the mean time, and before the next Summer comes, I trust that the accursed flag of Orange oppression will be laid in the dust for ever. I trust that Irishmen of every class and of every sect and persuasion, will become friends and brothers, and that our lovely native land—green Erin—of the rivers and streams, will be the abode of peace and happiness, and *Liberty.*

Yes, my friends, I can venture to promise, that if you obey the advice of the Catholic Association— if you follow the counsels that I give you—liberty will be near at hand, and that within the space of one or two years at the utmost, we shall see all we want, all we desire—we shall see throughout Ireland—

"Happy Homes and Altars free."

Commit no crime. Be not guilty of any outrage. Discontinue large meetings. Hold no secret meetings whatsoever. Have no secret societies of any kind. Secrecy in political matters is in itself bad, and is the fruitful source of every crime. I have no secret whatsoever. The Catholic Association has no secrets. The Orangemen and the Whiteboys have secrets, and accordingly blood and murder, and every species of iniquity are produced by them.

Our instructions to you are public—we publicly call on you to discontinue, for the present, those large and public meetings. Let parties be reconciled in their own respective parishes, but let not one single man go into any other parish for that purpose. If any man, after this warning, go into any other parish, or make any part of a public procession or meeting out of his own parish, believe me he is not a friend. He is an enemy. Do not trust him as a brother, but deal with him as with a hired spy—treat him with contempt and scorn.

Discontinue, therefore, immediately, those large meetings—discontinue them cheerfully, readily, and at once.

Listen as men of sense to the reasons why these meetings should be discontinued.

First—Your most valuable and excellent Clergy—the poor man's best friends, all join in advising you to discontinue them Did they ever give you bad advice?—Never. Did you ever regret that you followed the advice they gave you?—Never. When have you disregarded their advice without being sorry for it afterwards?—Never. Follow, then, the advice of your pious and exemplary Clergy, and discontinue those meetings.

Secondly—The Catholic Association of Ireland advises and orders you to discontinue those meetings. That body constitutes the most honest and patriotic assembly that ever yet met to advance the cause of civil and religious liberty—that honest, patriotic, and pure body, the Catholic Association of Ireland, advise and command you to discontinue those meetings. Obey their advise as if it were a command.

Thirdly—I, your faithful friend, advise you immediately to

discontinue those meetings. I have laboured for you for twenty eight long years, and am going to Parliament that I may be able to do you some effectual good. I ought to know what is useful to you, and I do most solemnly assure you that nothing could be more injurious to you than having any more of those large meetings for the present. You took my advice before—the Catholic people in many parts of Ireland take my advice—discontinue these large meetings.

Fourthly—It is the wish of the honest and patriotic part of the present Government that you should discontinue those meetings. The Lord-Lieutenant, the Marquess of Anglesea, is a sincere friend of the peace and prosperity of Ireland—he is what you all like and love, as brave a soldier as ever wielded a sword—he is most desirous to produce peace, tranquillity, and happiness in Ireland—he is anxious to put down oppression of every kind, and crime of every description. The Orangemen hate and fear him—the people love and respect him. It is necessary, in order to gratify what must be his wishes, that these large meetings should be discontinued. Discontinue them, therefore, that the noble and brave Marquess of Anglesea may be able to serve our country—to put down faction and party of every description, and to do his duty to the King and the people by seeing Ireland tranquil, free and happy.

Fifthly—Let me, as a fifth reason, tell you that we have also in the Government a most impartial and upright Chancellor. Under his controul are the magistracy of the country. The Catholics, during the Chancellorship of Lord Manners, suffered much from delinquent magistrates. Let us be grateful to Sir Anthony Hart, and shew that gratitude, by our ready obedience to the law. Let us, therefore, discontinue those public processions and large meetings, which must be displeasing to him and injurious to the great cause in which the people are engaged.

Sixthly—Let me also tell you that we have in the Government another manly, independent, high-minded, and honest friend to the people of Ireland. I mean Lord Francis Leve-

son Gower. Depend upon it you could not displease him more, nor more disturb the course of his honest exertions, than by continuing these large meetings. Instead of being your friend, you will necessarily make him your enemy, if you reject so much good advice as is thus given you, and if you continue those meetings after you are thus emphatically and earnestly called on to desist from.

Seventhly—In proportion as the Catholics and the friends of the Catholics are anxious to put an end to those meetings, in the same proportion are the Orangemen desirous that they should be continued. The Orangemen wish that you should disobey the Catholic Association. The Orangemen wish to commit you with the Government and against the law, We desire that you should cultivate the esteem of a friendly Government and strictly obey the law. I need not ask which you will obey, the Catholic Association or gratify the Orangemen. I am ready to pledge my life for it, that you will obey us—that you will confide in our affection for you, and, as we ask it, you will at once discontinue those meetings.

Eighthly—The Orangemen have assumed a new denomination. Some of them call themselves Brunswick Clubs, but they are better and more appropriately known by the appellation of "Blood-hound Clubs," because they seek to continue an unjust and odious monopoly, by shedding the blood of the people. These wicked and sanguinary men have subscribed large sums of money, for purposes which they, depraved though they be, are ashamed to avow; but which must be, amongst other bad intents, to hire spies and informers, and other wretches, who would mingle amongst the people, instigate them to acts of violence, fabricate false plots and conspiracies, and betray the people in every way to their enemies. These "blood-hounds," wish that you should continue those large Meetings, in order that by means of their own spies and informers, they may find some opportunity to shed your blood. If any man tells you to disobey the advice of the Catholic Association, believe me that such a man must be in the pay of

"the Blood-hounds." I implore of you to treat him as such.

Ninthly and lastly—If you disobey the advice of the Catholic Association, and if you refuse to listen to my entreaty, we must at once desert you—we must abandon you. It would be with the greatest reluctance that we should desert or abandon the people of Tipperary. But we ask yourselves, what else can we do? If you refuse to listen to the honest advice which we give you for your own good, and for the benefit of the Catholic cause, why, it will, in that case, be our duty not only to abandon you, but actually to resist the course which you are taking.

But, my friends—my brothers—honest and worthy people of the county of Tipperary, I am quite certain that you will obey us. I firmly believe that one word would have been sufficient to procure that obedience. You know there is no use in being resolute and brave, unless you also have the virtue of perfect subordination. Without subordination it would be impossible to preserve the peace amongst yourselves, or to prevent the recurrence of crimes and outrages which would stain you with guilt—bring down deserved punishment on you, and give a triumph to your bitter and unrelenting enemies, "the Blood-hounds" of Ireland.

Allow us of the Catholic Association to conduct the great Catholic Cause to final success—we approach to that success daily; and I tell you that we are certain of success, unless the people themselves by some misconduct prevent us. Is there a single honest man amongst you that would not bitterly regret his disobedience, if it were—as it certainly would be, the means of preventing the success of the Catholic cause, which involves in itself the very principle of freedom of conscience all over the world?

Rely on the Catholic Association; we will not sleep on our posts—we desire to obtain liberty for the Irish people; but we desire to do it by raising the moral and religious character of that people. Liberty—glorious liberty—is within our reach, if we will only deserve it. Let me strongly advise you

to be regular and constant in your various duties; consider no man as worthy of being called "a friend and brother," but a man who is observant of the rules and practices of his religion; who is honest, conscientious, and moral in his conduct; who is, according to his relations of life, a good son to his parents, a good brother to his sisters, a loving and kind husband to his wife, and a tender and careful father to his children. We disclaim the assistance of the idle, the profligate, the vicious. Religious and moral men are those alone who can regenerate Ireland, and I am sure there are amongst you *many, many, very many* such friends to Liberty and Old Ireland.

The greatest enemy we can have is the man who commits any crime against his fellow-man, or any offence in the sight of his God. The greatest enemy of the liberty of Ireland is the man who violates the law in any respect, or breaks the peace, or commits any outrage whatsoever.

My friends, my beloved brothers, cultivate your moral and religious duties; avoid every kind of crime; avoid, as you would a pestilence, all secret societies, all illegal oaths; seize upon any man who proposes to you to become a member of any secret society, or proposes to you any oath or engagement of a party or political nature. I denounce every such man to you as a "bloodhound" in disguise. Treat him as such, and drag him before a magistrate for prosecution and punishment.

Rely on it also that I will not lose sight of the great work of the pacification of the county of Tipperary. I am proud of having begun that great and glorious work. We, my friends and brothers, will not leave that work unfinished. You will, I am sure, desist from those large and unnecessary meetings, and I promise you to mature a more useful plan; that plan, when matured, I will submit to the Catholic Asociation of Ireland; and if it meets the approbation of that learned, intelligent, and most patriotic body, I am sure you will adopt it, and that it will spread all over the land.

The outline of that plan will be to divide the people for all

political, moral, and religious purposes into numbers not exceeding 120. That these 120 should elect amongst themselves a person to take charge of the whole under the name of a "Pacificator." No man to be a "Pacificator" but a man regular in his religious duties, and at least a monthly communicant. The "Pacificator" to have power to nominate two persons, to be called "Regulators," under him, and the three to be responsible that no crime or outrage, or violation of the law should be committed by any of the 120. On the contrary, that they should assist in the preservation of the peace, in the prevention of all crimes, in the suppression of all illegal societies, in the collection of the Catholic Rent, and in all other useful, legal, and honest purposes.

It would be a part of my plan, that the name and residence of each "Pacificator" should be transmitted to every neighbouring magistrate and police station, and advertised in the newspapers, and enrolled in the books of the Catholic Association.

I mention this faint outline of my plan, merely to shew you, that if the Orangemen and Brunswick Blood-hounds proceed in their sanguinary career, we shall easily find legal and constitutional means to counteract them, and to protect the people against them, and to set them at defiance.

Observe, however, that this plan is not yet adopted by the Catholic Association; until it is, it will not be carried into effect any where. As soon as I reach Dublin, and I will return thither speedily, I will bring forward my plan of "General Pacification."

Obey the laws; follow the advice of the Catholic Association; listen to the counsels I give you; discontinue, I know you will discontinue, those large meetings; avoid secret societies and illegal oaths; contribute, according to your means, to that sacred and national fund, the Catholic Rent; cultivate your moral duties; attend seriously and solemnly to your holy and divine religion.

You will thus exalt yourselves as men and as Christians. Bigotry and oppression will wither from amongst us. A pa-

rental Government, now held out to us, will compensate for centuries of misrule. We will plant in our native land the constitutional tree of Liberty. That noble tree will prosper and flourish in our green and fertile country. It will extend its protecting branches all over this lovely island. Beneath its sweet and sacred shade, the universal people of Ireland, Catholics, and Protestants, and Presbyterians, and Dissenters of every class, will sit in peace, and unison, and tranquillity. Commerce and trade will flourish; industry will be rewarded; and the people, contented and happy, will see Old Ireland—what she ought to be—

"Great, Glorious, and Free,
First flower of the Earth, first gem of the Sea."

DANIEL O'CONNELL,
Of the Order of Liberators

Let us now glance at the transactions of those who saw and feared the mighty engine which had been raised to shake their supremacy. Sundry efforts were made to convert the minds of the Roman Catholics from the error of their ways by persuasions; and missions were undertaken by some of those foolish bigots whose intemperate zeal has so often insulted the religion of the Irish Catholics, and almost rendered it impossible that they should look with calm charity on the professors of the Protestant faith. The assumption of those who come in personal contact with a fellow-citizen, and tell him that his faith is erroneous, is offensive at all times—it must have been doubly so when the members of the oppressing religion vented their sneers on the oppressed, who were struggling for equality. The missions seem, however, to have been received with courtesy. They held public meetings, at which they were exposed to the arguments of men fully as stubborn in their particular belief as themselves; and the discussions were ornamented by the sarcastic eloquence of Shiel. It was said, that, from among the millions, a convert or two were made; and

the triumphs were not concealed. It was, in one instance, modestly advertised to the world, that Mr. So-and-so had deserted the errors of the Church of Rome, to adopt *those* of the Church of England.

The motion on the Catholic claims was lost in 1823, by adjournment. Sir Francis Burdett and others receded from what they called the "annual farce" of gaining a point in the Commons, which was sure to be lost in "another place;" and the question was impeded by the important one, whether Mr. Brougham's charge against Mr. Canning, of "exhibiting the most incredible specimen of monstrous truckling, for the purpose of obtaining office, which the whole history of tergiversation could furnish," was personal or not. The petition of the Association was presented, in the following year, by Mr. Plunket, but no motion was founded on it. Mr. Brownlow, who afterwards became a *conscientious* convert to the Catholic cause, fiercely attacked the Association. He acknowledged, at the same time, that he was a member of an Orange Lodge; but *that* was an Association for proper purposes. At this time Irish affairs came to be more seriously considered in Parliament than they had been for many previous years. A select committee was appointed in each House, to inquire into Irish grievances and their sources; and two reports were produced, which seemed to vie in an attempt to write the country into good order. On occasion of these being moved for, when Mr. Canning was taunted by Lord Milton with his change of opinions, he said he had always been favourable to emancipation, though his situation, with regard to the Ministry, prevented him from then directly advocating it; and he said—"I believe, with the noble Lord, that it will ultimately make its way, notwithstanding all the opposition it meets with." To balance, in a measure, so much compliment and condescension, the insurrection act was renewed. During the session Mr. Hume laid before Parliament—not for the first time—a picture of the enormous establishment of the Church of Ireland—the four Archbishops, the eighteen Bishops, the thirty-three

Deans, the one hundred and eight Dignitaries, the one hundred and seventy-eight Prebends, &c. &c., and the disproportion of the Catholic Protestant population—and moved for a committee to inquire into the income of the Establishment, the number of persons employed, and the manner in which their duties were performed. Mr. Stanley opposed this motion in a maiden speech, and so commenced his auspicious career. The motion was lost by 152 to 79.

The disturbances, of which so much has been already said—of which so much is, unhappily, known to the British public—continued, with all their violence, to the commencement of the sittings of the Association, and during the first year of its continuance, when, suddenly, and to the astonishment of the country and of the Government, towards the end of the year 1824, a sudden calm came over all Ireland. Mr. O'Connell had implored the people to cease from their outrages and secret meetings. "There is but one real enemy to Ireland," he said, on one occasion, "and that is, the man who violates the law; one thing can alone injure the cause of civil liberty in Ireland—that is, any violation of the law. Could I but persuade the Irish people of the great injury which they inflict on themselves, more than on any one else, by a violation of the law, their physical force, which is great and increasing, would be united with an immense moral strength; and such a combination of powers would render it impossible for any species of misgovernment to continue in this country." The Association had not only exhorted them to the same effect in public, but had, as we have seen, taken efficient practical means to bring the exhortation individually, home to them. It was seen by every one, that the sudden pacification was obtained by the Association; and that the people, trusting to efforts united and peaceful, and finding practical relief from the exertions of their friends, had unanimously resolved to give up the system of taking the law into their own hands. This was what the government could not forgive. It was taking the bread out of their very mouths, for it made coercion acts very unnecessary. It was putting them

to shame; for it accomplished, by moral influence, the duty which, with armies, they were unable to perform. Their eyes were wide open to the peril of losing a fruitful field of misgovernment. Ireland, full of cabals, outrages, and secret meetings, was a fine field for oppressive legislation; and, in such a country, the system of coercion, once begun, made the meat it fed on. Ireland, united in one vast body of sufferers having a clear knowledge of their wrongs, proclaiming them to the world, and calling for redress, was a very different object of ministerial contemplation; and it was decided that the Association should be crushed.

The first blow was struck at the head. The Attorney-General held Mr. O'Connell to bail for words which he had used in the Association: an indictment was preferred against him, but ignored by the Grand Jury. This insult did not pass unnoticed by the Catholics, nor did the quarter whence it came—their old ally, Mr. Plunket; and, at a public meeting, resolutions, applicable to their feelings, were proposed by Mr. Shiel. "If Mr. O'Connell," said he, "were Attorney General, and Mr. Plunket were the great leader of the people; 'if Anthony were Brutus, and Brutus Anthony'—how would the public mind have been inflamed! what exciting matter would have been flung among the people! what lava would, have been poured out!—'The very stones would have risen, in mutiny!' Would to Heaven that not only Mr. Plunket, but every other Protestant who deplores our imprudence, in the spirit of fastidious patronage, would adopt the simple test of nature, and make our case his own; and he would confess, if similarly situated, he would give vent to his emotions in phrases as exasperated, and participate in the feelings which agitate the great and disfranchised community, to which it would be his misfortune to belong."

At the opening of the session in 1825, the King's speech announced that measures were to be taken for the suppression of the Association; or, as the Ministry were pleased to say, of the Asociations. "I am perfectly aware," said Mr. Brougham, "by whom that *s* was added. I know the handwriting. I

know the reflection which passed through the mind of the writer. I must put the word in the plural. It will then be considered as applicable equally to Orange and to Catholic Associations, and the adversaries of both will be conciliated." On the 10th of February, Mr. Goulburn, then Secretary for Ireland, moved for leave to bring in a bill "to amend the acts relating to unlawful societies in Ireland." He complained that the Association "condescended most strictly to imitate the forms of Parliament. They appointed their committees of grievances, of education, and of finance. They had almost copied, *verbatim*, the sessional orders of that House." And Mr. Peel so far forgot all respect for our immaculate constitution, as to observe, that "the spirit of our constitution was founded upon suspicion; and he had a right to assume that this body, though it might not intend evil at present, might be turned to it at some future period." But of all the representatives of Government, Mr. North was the most explicit in exposing its views, and the jealousy it felt of the moral influence of the Association. The Catholic Rent was, he said, "a positive mischief; for it led the people to look up to other authorities, beside the constituted authorities of the land; it loosened their confidence in the established institutions of the country—[the confidence of the Irish Roman Catholics in the Orange Government ! !]—and, by that very proceeding, taught them to place it in a new source of power, which it at once created and fostered." The Catholic Association, in the mean time, prepared a petition to Parliament, explaining the nature of their body, stating that it was founded to facilitate the undoubted right of the subject to petition Parliament for the redress of grievances, and that they courted the strictest inquiry into their conduct. A deputation from the Association was directed to proceed with the petition to London, headed by Mr. O'Connell and Mr. Shiel. The petition was presented by Mr. Brougham, who moved that the Association should be heard before the bar of the House by counsel. The motion was negatived by 253 to 107 The third reading of the Bill

was carried in the House of Commons, on the 26th February by 226 to 96: and it passed the Lords on the 7th of March.

By this Act, every body of persons acting for the redress of grievances in church or state, or for the purpose of conducting law-suits, civil or criminal, renewing its meetings for more than fourteen days, or collecting money, was declared unlawful. Any body of men which should contrive to make one, for these purposes of any committee, or of office-bearers, chosen at any time within six months previous to the passing of the Act, was pronounced unlawful. Offenders were to be punished by fine and imprisonment; and persons permitting unlawful assemblies to meet in their houses, were to forfeit the sum of £5.

The burst of rage with which Ireland received this new manifestation of the conqueror, is too well known to require being characterized. It is generally said that Mr. O'Connell has managed to enslave the Irish people, and that he is their dictator, for good or evil, as he pleases; but the present instance shewed that it was his acts, and his acts alone, that secured him the esteem, respect, and trust of millions. Being absent from Ireland, at the head of a deputation, which had all along flattered the country with the hopes of success, the sudden reverse made a shade of suspicion cross their minds; and if O'Connell's conduct had not stood the test of the sternest inquiry, he would, from that moment, have lost for ever his influence with the Irish people.

An important duty still detained him in London:—that measure for relief of the Catholics, which has read the world so curious a lesson in statesmanship, was brought forward. On the 1st of February, Sir Francis Burdett moved for the appointment of a committee of the whole House, to consider the state of the laws affecting the Roman Catholics. It was carried by 247 to 234. Three measures were proposed to be brought forward on the subject. The first was, to abolish the declaration against transubstantiation, and substitute such a one as might be taken by Roman Catholics; unless they be-

lieved that no faith was to be kept with heretics, or that the subjects of an excommunicated king could murder him at their pleasure—two important guardians of our Protestant constitution not to be effaced from the statute book. The act, as proposed, indeed, was, in general, similar in terms to that which afterwards passed. The second measure proposed was, to make a public provision for the Roman Catholic clergy; and the third was, the saving measure of disfranchising the forty-shilling freeholders. The Relief Bill was introduced on the 23rd of March. Its great supporters were Mr. Canning, Mr. Plunket, and Mr. Brougham—its most uncompromising opponent, *Sir Robert Peel.* He told honourable members that, though the danger was speculative, yet if they saw a cloud in the sky, which at present was no larger than a man's hand, to recollect that it might, ere long, overcast the firmament, and involve the face of nature in gloom and desolation." An ingenious gentleman at that time discovered an argument which was afterwards taken to another place, and kept and tended with a care and nicety beyond praise, and never lost sight of. It was alledged that Mr. O'Connell had given his assistance in drawing the Bill. It was true he had done so—he had communicated with the committee appointed to draw it, and they had wisely preferred adopting his suggestions to those of any man who knew nothing about the matter. He was the acknowledged agent of the Roman Catholics, and the person by whom any measure dealt out to them was to be in their name accepted. The Bill passed the Commons by 248 to 227. Ere this was accomplished, the Duke of York had made his celebrated attempt to get the Lords to stifle it before it reached their den. He gave threats from the throne, and threats from him who might succeed to the throne; and their Lordships were told, that "they were now required to surrender every principle of the constitution, and to deliver themselves up, bound hand and foot, to the mercy and generosity of the Roman Catholics, without any assurance even that they should be satisfied with such fearful concessions." The Bill was lost in the Lords by 178 to 130. Who ever heard of an

insurrection or coercion act suffering that fate? The other two measures were abandoned in the Commons.

When the excitement produced in Ireland by the suppression of the Association had subsided, the rejection of the Relief measure only shewed the people the urgent necessity of continuing in their course of exertion. They had done something—a ministry was divided on their claims, and the House of Commons had, for some time, admitted them; the next step might be the entire victory. To baffle the "Algerine" Act as it was termed, was the first difficulty. This was accomplished by Mr. O'Connell, and the Association merely changed its form.

On the 5th of September 1827, Sir Francis Burdett brought the Catholic question before the House of Commons. It was strongly opposed by Sir John Copley, afterwards Lord Lyndhurst, and Sir Robert Peel was still the champion of the Protestant Ascendency. He "who did not shrink from his former opinion, and the reasons which had been urged for concession only increased his dislike to it." He "conscientiously believed that admitting Catholics within the walls of Parliament, would be dangerous to the constitution," and "felt that he had no choice but to state with firmness, but he trusted without asperity, the principles which his reason dictated, and his conscience compelled him to maintain." The question was lost by 276 to 272. In the following year, it was carried in the Commons by a majority of six, but lost in the Lords by 44. In consequence of the able manner, in which Sir Francis Burdett, and other members of the House of Commons, had advocated the cause of the Catholics, a special meeting of the Association was held, when

Mr. O'Connell rose, and was received with loud cheers. He commenced by saying, this is a great day for Ireland — (*Cheers.*)—I agree with Mr. Brougham in thinking, that there, should be no becoming exultation, nothing of insolent triumph of one fellow subject over another.—(*Hear, hear.*)—This is a moment of conciliation—of binding all classes of his Majesty's subjects in bonds of friendship and perpetual amity.

No human being can be more opposed than I am, that any thing should be done by us, which could be construed into unbecoming rejoicing on our part, or in the slightest degree insulting to others. At the same time, I consider that we should be deficient in the duty we owe to ourselves, to our country, to the cause of liberty, and that great principle which has obtained a majority for us, and emancipated the Dissenters, if we did not hail with feelings of affectionate gratitude the exertions of those who have laboured in our behalf, and own that our entire success was due, as it necessarily must be, to Protestant hands. — The expression of our gratitude—the deep debt of gratitude is due to Sir Francis Burdett—to his seconder, Mr. Brougham, to Sir James Mackintosh, to the Solictor-General, Mr. Doherty, to Mr. Grant, to Mr. Dennison, and their able supporters; perhaps I might say, that there is still a more lively, a deeper, more immediate and more intense feeling of gratification experienced in beholding the part taken on this question by the son of the Lord-lieutenant—he who sat by me the other day—Lord William Paget. His was the bold, the open, the manly, and the honest avowal! his sentiments were declared with the honest frankness of the soldier, who, despising all minor considerations, directs his attention to the immediate object of attack; his was the gallant spirit and bearing that should characterise a Naval Commander, and showed how nobly he would uphold the "meteor flag" of England. He was of the class of sailors who would never strike his flag to the enemies of his country; and if the day of battle should come, he might rely upon a crew of Irishmen. Let him then remind them of 1828, and in that day of battle his Irish crew might perish; but never would they shrink back from the enemy—their names might be remembered in the records of their country; but the flag of an enemy would never wave over their gallant commander. — I rejoice that the public gratitude can be tendered to this Nobleman, and in the midst of my joy, I can forget that a miserable press; I call them no longer

base—(I am in too good a humour)—should have reviled and calumniated his actions.—In other countries the press exerts its powers for the protection of the weak and the innocent; but here we have a press, that places the *caput lupinum* on any who displays either public virtue or honesty. From the expression of gratitude due to our friends, I naturally turn to the prospects Ireland has at present and the course we ought to pursue. I agree most cordially in the opinion, that the greatest deliberation should be used in considering the steps to be taken by us, in the elevated situation in which we are placed, by the assistance of our friends. We should shew by our conduct, that we are deserving of that elevation.—It cannot be concealed, that we have obtained a victory under adverse circumstances; we were, as the swindlers in the Stock Exchange term it, in a "backage." We had to contend against the reaction of bigotry, and the spring it again made after being trampled upon. The wound it had received, and the impediment thrown in its way by the Dissenters, but rendered it the more envenomed against us. The high Church party were partially defeated but that defeat rendered them the more determined to keep a portion of the field for the exclusion of the Catholics. Our victory, then, is doubly valuable, because obtained under such unfavourable circumstances. There was another obstacle. There was no man more ready than I am to treat with even delicacy, whatever concerns the Throne, or may be thought to allude to the Sovereign; but I am not, at the same time, ready, from any such feelings, to sacrifice the rights or independence of Ireland, I will not conceal from them that which a base press has circulated, that the Sovereign had taken an active part against them. I do not say he did it. His August Name has been used to circulate a slander, at which I have shuddered with horror; but those near the Throne have permitted his name to be so used; they have called in auxiliaries even from Germany—a Holy Alliance, indeed! I rejoice then, at the good sense and liberality of Parliament, which has

triumphed over the opinions, and was superior to the struggles, of those at the footstool of the Throne. It was certainly under most unfavourable circumstances that our victory has been obtained. Notwithstanding all the obstacles opposed to us, we had a majority of 274 actual votes, including the tellers. This is the consequence of our struggle—of our long and ardous labours. And while we look back upon the perils we have passed, we should also provide means to insure our ultimate victory. What the consequences of our late success may be I do not know—whether it be immediate, full and complete victory. Perhaps it may be so. I hope, nay, I believe, it will be so. Perhaps a postponement: if so, what did the majority tell us? Did they not tell us we ought to persevere? Did they not tell us to agitate?—that agitation brought us to this? Do not these 274 votes proclaim to us never to despair; that our cause must and cannot but be triumphant? But is there a man in England so stupid, so besotted, or so lost in ignorance, as to think that we would despair, if the majority were against us—not six, or six and twenty, but two hundred and seventy-four? If I had but two to vote against us, and there were two hundred and seventy to vote for us, still would I proclaim to the people of Ireland—"Persevere—persevere—your cause is the cause of justice; God is with you, and victory must ultimately be yours." And, sacred Heaven! when we have such a majority as that of 270 to cheer us, who was there so stupid, or so doltish, as to think that we would abandon the course, when we had nearly attained the gaol of victory?—We had, last year, a majority of four against us. These four should be placed to the credit of the "New Reformation;" of that Reformation so much boasted of, and so much lauded in England; of that Reformation which assailed the superstition of Popery in the shape of caps and bonnets to the women, and removed the scruples of male Papists, by feeding them with bacon on Fridays; of that Reformation which made the worthless of one religion still more worthless, by perverting them to another of which they knew nothing. In England it was proclaimed, that in a few years, we should be

all most excellent bacon-Protestants, and if we were, I should be glad to know, would we be more willing than we are at present to submit to tyranny and oppression? For my own part, I know that, if I were a Protestant, I should not struggle less ardently than I do at present for the liberties of my country, unless, indeed, I were totally depraved, and sunk in my own estimation as I should be in that of others. The "New Reformation," however, is now dead and gone; its ghost is buried, and the shadow of it does not remain. But even in the days of its strength I compared its attempts to exterminate Popery to the experiment of the Frenchman who endeavoured to bale out the Lake of Killarney with his hat. It might have been said by the enemies of the Catholics, "We will give them two or three defeats, and thus extinguish their hopes;" but what can they say now? Must they not see that we are told by a majority of the House of Commons to persevere? The question can be set at rest one way, and one way only—by concession. Have we not reason to persevere and hope for a happy result? Look to the debates, are they not most consoling? Read the speeches for and against us. On one side there is talent, argument, reasoning, eloquence, and good feeling; on the other, wretched sophistry, bad taste, and worse feeling. On one side every thing to disgust. Bigotry is on the wane. Napoleon was certain of conquest when he had penetrated the enemy's centre. We have taken the key of their position, and it is our fault if we do not now scatter their wings of intolerance. In the course of the debates the Catholic Association was mentioned; the House was told—and, God bless it, it was told, most truly—we had trampled upon the Algerine Act; and so we have, for now, instead of once, we have, to meet twice a week—once on our political business, and again on Saturday, for all purposes not prohibited by law, so that the Algerine Act has only given us twice the trouble, and twice the agitation. But our agitation was not complained of; the simultaneus meeting had put an end to that topic; the voice of an united nation calling out for a redress of grievances was not a fit subject to descant upon.

Amongst the several excellent speeches that were made on this occasion was one, that gave me great pleasure—that of Mr. Spencer Perceval; he gave an honest vote, and I respect his religious hostility. He has condesended to take notice of me, and to designate us unprincipled demagogues. I would only remind this gentleman, whom I believe to be sincerely religious, that he should not bear false witness against his neighbour. Why unprincipled? Is it because we struggle for the freedom of concience—is it because we are labouring by agitation for the liberties of our country? Let him recollect that there were minions of power once found to brand Washington as unprincipled—to call Kosciusko a traitor, and Bolivar a rebel. But for the sake of Mr. Spencer Perceval I shall henceforth speak less harshly of the Methodists, as the glorious example of the immortal Brownlow has taught me what minds may be found even amongst Orangemen. Mr. O'Connell then entered into a review of the present state of Europe; and explained how opportune the time was for conciliating Ireland, and explained the nature of the Vestry-Bill, the Sub-letting Act, and Easement of Burial Bill; and showed how injurious they were to the property, and insulting to the feelings of the Catholics; and yet Mr. Peel expresses his surprise that they had not conciliated the Catholics. When Acts were passed that really tended to conciliate them, they showed, in the years 1778, 82, and 93, by their services, how easy it was for England to employ the powers aud resources of Ireland for her benefit and aggrandisement. He promised that if Emancipation were not passed, he should establish, before three months, a permanent endowment for the Clergy Establishment, which would make them as independent of the State in revenue, as they now were in religion. He then proceeded to say, their Bill would not be before the House of Lords for four or five weeks. Within that time, I propose, said Mr. O'Connell, to organise another simultaneous meeting, and every Catholic parish to petition the House of Lords, and to forward an address to the King. — Let there be three thousand addresses sent forward to his Majesty—let them call

upon their nobility to present them—let them go to the levees —they would appear in *The Gazette*, and we will make the bulkiest *Gazette* that ever appeared. Those that surrounded the Throne might invest it with German guards—they might bring the Sovereign to fishing parties, but the voice of congregated Ireland would reach him—the petitions of seven millions would be heard by him—they would say to him, you are our Sovereign, we are ready to defend with our lives and fortunes the throne and your sacred person; we have given you the best proofs of our loyalty, and after all we are as good as the Germans: we are Irish, to be sure; but has nature given superior powers, intellects, or faculties to Hanoverians, or any other kind of Germans, that she has denied to us? Your Majesty has protected liberty of conscience amongst the Catholic Germans; it is not, then, the religion you entertain a dislike to; your Majesty surely will not refuse the voice of millions, who ask you for liberty of conscience. Mr. O'Connell then mentioned, that if their addresses were successful, they would soon find a miraculous change in the Bench of Bishops, and after commenting on the speech of Sir R. Inglis, concluded amid loud cheers, by proposing the Resolutions.

Mr. Steele rose, and said—Mr. Chairman, I should consider myself guilty of the omission of a very important duty, were I to omit offering a few words in support of my friend, Mr. O'Connell's Resolutions. I shall now mention a circumstance which occurred about a year ago, after Mr. Brougham made his celebrated speech at Liverpool. I was sitting in the Committee Room, with my friend, Mr. Lawless; we were speaking of the speech, and descanting upon its merits. There was one passage in particular which fixed our admiration. Mr. Lawless said to me, "Steele, my sons have noble memories. and I will this evening make them get this passage by heart." I replied, "You are quite right—if they have noble memories, give them noble subjects, and you could not select a nobler one." It was a passage on the nature of legitimate power. I said to myself, after I parted from Mr. Lawless, "And shall any living being in Ireland have this passage com-

mitted to his heart, and I not infix it there? When I retired home, I sat down and committed it to memory, It was as follows:—"I do not look upon power as a thing to be envied by any wise or good man—power in itself, mere power, is any thing rather than either (I fear) the friend to virtue, or a test of merit. It is inherited by right of birth, by bloated despots —it is purchased through blood and slaughter by ferocious usurpers, and pestilential conquerors—it is held by the tenure of those very defects in our nature which reduce man below his ordinary level, by the miserable inmates of an eastern seraglio. But the power to benefit mankind—the power to do good to our country—the opportunity of scattering blessings over the land of our birth, or of our adoption—the power to enable you to root out ignorance—to diffuse the lights of knowledge—to break the chains of enslaved men, of whatever colour, caste, or sect they may be—a power to benefit our kind —to illustrate our country—to ennoble our age and amend our race—that is a power, the possession of which a man, nay, even an angel, might stoop from his height to take up and enjoy" This is not the first time that I have recited this passage in these rooms, and very probably it is not the last time when I shall here give them utterance. Now, Catholics of Ireland, ask your own hearts and souls, if this is not a description of the nature of the power which is exercised by the Catholic Association? Why do I introduce this — what is the practical use I want to make of it? It is this — that when the exhortation shall go forth from the Association to hold the Simultaneous Meetings—one of the most felicitous thoughts that ever occurred to an Irish politician—the people of our country may, to the most remote and secluded districts, know thoroughly and in their hearts' core the true and real nature of the Association— of that *imperium in imperio* from which the exhortation emanated.

Mr. Sheil said, with an Anti-Catholic Premier at the head of the Ministry, and with a Secretary in the Home Department, whose political existence is derived from the religion of

his politics, and the policy of his religion—in other words, with every impediment which could arise from the most zealous employment of the influence of the crown, we have succeeded. Victory is the more valuable because defeat was to be expected. Our antagonists were posted in a most advantageous position, yet we have put them to rout, Under the Canning Administration, a majority of six would have been of small avail; under the Wellington Administration, that majority portends great results. It is the precursor and the prophet of emancipation. There is another incident to our success deserving of much note. I do not merely rely upon the overthrow of the Minister; the manner of his fall is worthy of remark. What an ascendency of intellect was evinced by the opponents of ascendency in religion. Try the merits of either cause by a comparison of the advocates, and how lame and impotent does intolerance appear? Often as the question has been discussed, never was a more unequivocal superiority displayed by the champions of Ireland. They trampled their antagonists under foot. It was not that Peel, and Bankes, and Foster (Foster, who never again shall sit for Louth) were thrown to the ground; they were made to bite the dust. The division, and the circumstances which accompany it, are noble auguries of that which is to come. I do not mean to say, the great measure will pass this Session through the House of Lords; but I do say, that proof has been afforded of the necessity of ultimate concession. Intolerance may live a little longer, but its death is certain, and the only question is, how long it will hold out. What course in this state of things ought we to pursue? In the ethics of the Roman poet, a sound political maxim may be found—

> Æquam memento, in rebus arduis
> Servere mentem

This is one-half of the precept, and we have fulfilled it. We have preserved, in the midst of disaster and difficulty, a wise equanimity. We did not allow the spirit of the country to sink in

times of emergency and misfortune. It remains, that in a more prosperous period, we should complete our practical observance of the salutary admonition:—

> Nec sacus in bonus
> Ab insolanti temperatum
> Lætitia.

As there was no prostration in our calamities, so let there be no insolence in our success; What then should we do? We should call forth the people, and bring their voices into simultaneous supplication. Briareus, he of the hundred hands; should hold them forth in prayer. The Simultaneous Meetings, or to speak better, the display of universal organization, will prove what we have achieved, and what we are yet able to accomplish. The Catholic Association is reviled. *Oderini dum timeant.* I care little for their hatred, if it have fear for its companion. Let us show our antagonists what we can do. We can, in a single day, bring forth the whole Catholic population, and marshal them in entreaty. We are at the head of seven millions, and let them think well on't. Let the summons go forth, and it will be assuredly obeyed. It has taken much time, and much energy, and much enthusiasm to produce such a state of things; and, with the aid of Mr. Peel and his associates, we have effected it. But while I say, that we ought to furnish these evidences to the House of Lords, of the pass to which Ireland has been brought, and shew them what a gigantic power has been brought into maturity, I also advise that this demonstration of our union should be attended by measures of a most conciliatory character. The fact of a simultaneous assemblage of the people will be sufficient to convey much useful intimation. Care, however, should be taken that the Resolutions and Addresses which shall emanate from this vast convocation shall be of a temperate and mitigated cast. Ireland (for it will be Ireland that will speak) should say, "I want liberty, and I will give you my heart and my arm in return." I have myself no doubt that if any thing like justice were done to the Irish People, they

would be devoted, from the double consciousness of their interest and of their duty, to the Government by which kinder measures had been adopted in their regard. Let England but give us leave to adhere to her, and we will prove most true. Is this the time for discord and alienation? Well has Mr. Grant admonished the Ministry, of which he is a member. He announced boldly and honestly, that the eyes of Foreign Potentates were fixed upon Ireland. Who can tell how soon all Europe may be again in arms? Who can tell how soon the fire that is kindled in the East may spread, and involve the civilized world in the conflagration? Russia has made demands which go far beyond the liberation of Greece. The first great step has been taken. What, then, should England do? The Turk himself holds out to her a model. His power is impaired; his empire is unwieldly; his armies are tumultuous; his navy is annihilated; his treasury is exhausted; and yet, with his blunted and rusty scimitar, he enters bravely into the field. He has incalculable disadvantages to contend with, and yet he is not dismayed. Nor has he cause to be so. I will tell you why. It is because the whole population is united and combined, and that the national enthusiasm of the Musselmans supplies the want of all requisites for victory. They have no money; they are ignorant of the art of war; and they are centuries behind their antagonists in tactics.—But they have union, intrepidity, a sense of their rights, and a dauntless determination to maintain them; and when the green standard of the Prophet is unfurled, there is not a man of them who will not start up in defence of his Country, and will not be ready to lay down his life in its cause. Thus it is, that England may derive from what she beholds in the events that are passing before her, a double admonition. War itself gives her a warning, and the defence with which that war is encountered, holds out a useful example of the wisdom of union, and the power which national unanimity can impart. The time may come, when England shall be encompassed with perils as great as those which assail "her ancient ally." The Potentates of Europe have

once been, and may be again arrayed against her; and if such an event should come to pass, will she be able to make the same appeal, to summon all the feelings and the passions of her subjects, in her defence? Will she be able to tell us, that in fighting for her, we fight for ourselves—that we fight for our rights, for our best privileges, for our dignity as men, and for all that makes life valuable and dear? I trust that she will be able so to speak to us with truth, and I know that in order to enable herself so to speak, no more than a single act of justice is required.

Our limits will not allow us to follow Mr. O'Connell through the numerous and truly splendid speeches which he delivered about this time and in which he was so nobly and ably seconded by Mr. Sheil. There was however one occasion, in which he appeared almost to surpass himself in the boldness of his language, the strength of his reasoning, and above all by the enlarged display which he made of the plans which he had in agitation for the accomplishment of that great purpose, which some late proceedings in the British Parliament had proved could not be long deferred. Mr. Sheil had about this time rendered himself but very little, if at all inferior to Mr. O'Connell by two speeches which he had delivered on Penenden Heath, at the great meeting of the county of Kent, and at a dinner which was given to him at the London Tavern; on his return to Ireland, at the first meeting of the Catholic Association, the following resolutions were moved by Mr. Lawless.

"That we have read with sentiments of the liveliest admiration, the two late splendid efforts of our eloquent countryman, Richard Sheil, Esq., at Penenden-Heath, and the London Tavern; and to demonstrate our sense of the high value we place on those exertions, we hereby agree to invite our triumphant advocate to a public dinner, on such day as will be most convenient to him.

"That our Chairman be instructed to write to Lord Cloncurry, requesting that excellent Nobleman to take the Chair on this occasion; and Mr. O'Connell be requested to act as Vice-President."

Mr. O'Connell seconded the Resolution, and on the second being put and seconded, he rose amidst loud cheers, and delivered the following brilliant speech. The first subject for our consideration is the Aggregate Meeting. Parliament does not meet this year, as the prorogation does not state that its next meeting will be for the dispatch of business; it will, however, most probably meet in February, but whenever it does, we should be prepared with our petitions. We have been too remiss hitherto, and in now proposing some measures, I hope I may be permitted rapidly to glance at the present state of affairs in Ireland and England. Is civil liberty in those countries progressing or has it been retarded? We are anxious to forward the principle of civil and religious liberty—our enemies that it should stand still. As well might they bid the sun stop its course; as well might they, with impious hand, endeavour to obscure the light of that great orb, and prevent it from illuminating, and animating the creatures of the earth, as endeavour, by Brunswick Clubs, to deprive their fellow men of the light of reason and religion, and keep from them the blessings of civil and religious liberty. The year before last they had their "new Reformation," and the very men who are Brunswickers now, were reformers at that time, and those who now seek, by county and other meetings, to impede our emancipation, then endeavoured to stop it by the new Reformation—that new Reformation which they now admit to be, what Lord Plunkett truly called it, "a chimera, and a dream" The chimera is at an end—the dream is over; they have awakened from it, but not in the least degree refreshed—they have shaken off their intoxication, and they call themselves Brunswickers; and we now laugh, when we have leisure, at their miserable attempt at delusion. But now that they find delusion has failed, they would try force, and accordingly they have instituted Brunswick Clubs, better denominated Blood-hound Kennels —and next year we will laugh as heartily at them as we do now at the new Reformation! They had but one chance—that of instigating the people to outrage; they thought that

the Catholics of the North would be instigated to outrage the law, and that they, then aided and assisted by Government, would have been thus enabled to perpetuate their tyranny and monopoly in this unfortunate country. Have they succeeded in this attempt? No; there has not been the slightest disturbance in the country—universal tranquillity has prevailed. By whom then has that tranquillity been preserved? Was it by the paid police? No;—but by my police. I said that it would be so at the opening of this Session of the Catholic Association. And I now give utterance to a sentiment, in which I am sure every blood-hound will join me—"may it be its last." This Association will terminate with unqualified emancipation.—I did say, that I had an expectation of receiving from the county Tipperary the arms, some of which have been kept from the Whiteboy times. Hitherto, my measures have not been effectual, on account of the institution of two blood-hound kennels in the county Tipperary. Nothing could be more absurd, or nothing more atrocious, than the formation of such clubs in that county, or that which (I must now call my own county—the county Clare. Why were they instituted there? To counteract my measures, and so far the experiment has been successful. Through the means of the blood-hounds, one murder has been committed—a young man has been put to death by a wound which he received from them, and I understand that four Catholics have disappeared from Ballibay—there has been no account of them since the evening of that day—I will not say they have been murdered, because the bodies have not yet been found, or they may have been secretly imprisoned somewhere. The people of Monaghan are in the most frightful state in consequence of the conduct of the blood-hounds. The people there, however, have been in some degree tranquilized with the promise of the protection of the law, and they shall have it.—I have been told that the King's troops are about to march to Monaghan; all the people desire is the protection of the King's troops. In whatever county they may be stationed

the people rest satisfied that the gentlemen who command, and the brave and disciplined soldiers who obey them, will protect them from outrage or insult on the part of the Brunswicker or Blood-hound. We are about to give the protection of the laws to the persecuted Catholics; we will not only institute criminal prosecutions, but shall also annoy the oppressors of the people by civil actions. I know no better means of vexing an Orangeman and a persecutor than an attorney and a latitat. I know not either a better means of preventing the recurrence of outrage against the people. Before this day month 50 individuals will be sued in civil actions for Orange outrages. Every man of them shall have an opportunity of leaving to the decision of a Jury of his countrymen whether he has been guilty of outrage or not. The people shall find that they will have the protection of the law, and every solvent persecutor will learn what are the expences at law he may incur for inflicting an outrage upon them. So far, however, the efforts of the Blood-hound Clubs have been without success. They held a grand kennel on the 4th of November, in Dublin. But what was it composed of? There were four or five Peers; but what kind of Peers were they? They had, to be sure, Lords Glandine and Rathdowne, and some one of the Trenches called Lord Dunlo—I don't know whether Lord Blayney was there; but there was Lord Longford, who quarrelled with his own brother because he changed his sentiments on the Catholic Question, and would not change his principles to suit his interest. They had these Lords amongst them; but had they the wealth, and property, and rank of the Peerage? I forgot Lord Aldborough—he *stole* out of my recollection. There were amongst them seven Irish Representatives out of the one hundred. Can anything more emphatically announce the state of the party, than that they could only get, even out of all the boroughs, seven desperadoes? Am I not entitled to count the other 93 for us? They have but seven Irish Members of Parliament, and of them there are but three or four County Members, and these shall not again be so. In Fermanagh and Cavan, preparations

have been made; and we shall, please God, shake three or four out at the next Election. In rising thus to address you, and perform my duty, I shall be obliged to trespass at some length upon your time. I do not rise for the purpose of display, nor shall my exertions be confined to a single speech; I rise for the purpose of recommending a series of measures for your adoption, and among the first is the organising of the freeholders in the counties of Fermanagh and Cavan, for the purpose of taking from the representation of Ireland four out of the seven who attended the Brunswick meeting in Dublin. We are told by the newspapers of that party that they were, "delegates;" that was against the law, and I am glad to see Orangemen violate the law. Contrast their conduct with ours. We obey the law, and attend to the spirit of the letter; indeed, we only keep to the letter when the law is a bad one, but they violate both the spirit and the letter. It is however, an admirable precedent for us, when we shall have to repeal the Union by and by; when our emancipation will be granted, and when men will not inquire what is the religion of the other, but what can each effect that will be most useful, and advantageous to the country. The precedent, however, is undoubtedly useful, and the Attorney-General of that day may have to taunt the Attorney-General Joy of this. But at the Brunswick meeting sundry speeches were made, and in them all you will not find one particle of genius, one splended thought, or even handsome phraseology; not one idea that would not come from a boy of the third form, who had read a "Speaker." Oh! it grieves me to think that even bigotry itself should thus have power to blight the genius and the glory of my country. How different —how far different is the scene presented to us at one of our meetings? I am a hackneyed arguer—I shall not speak of the brilliant displays of eloquence by Mr. Sheil; but from every side there flash on us the sparkling gems of genius—imagery, poetry, fancy, all forming a wreath and a circle of glory round the fallen fortunes of Ireland. But I turn to the meetings of the Brunswick Club, and ask what beside the

making of miserable speeches did they do? Was their attention directed to the improvement of the country? Did they seek to promote commerce or manufacture, except indeed the manufacture of cutting throats? Did they seek to increase agricultural produce, or give additional means of employment to the poor, or in any way to better the condition of the people? there was not one single particle of all these touched upon by them. Were they assembled for purposes of utility? Was political economy touched upon by them? Did they say one word about remedying the abuses and corruption that existed in the present state of the representation, or the abolishing of rotten boroughs, of having a check upon the Ministry, and a reform in Parliament? There were some amongst them who boast that they are the descendants of those who drove from the throne him whom they call a tyrant; who talk of their principles, and yet would not give to their fellow-men equal freedom. I put aside what was said by Mr. Moore, Colonel Conolly, and the Rev. Mr. Martin; I shall now give in a few words an epitome of every other speech that was made on this occasion. Hypocrisy marked the commencement of every speech—they began by saying they were no enemies of the Catholics. What then brought them there? Was it as our friends they assembled together to denounce us? The second part of their speeches were that they met in their own defence. This was more of the hypocrisy. If one man cut another's throat, will it be any satisfaction to his friends to hear that the assailant had done it in his own defence? This reminds me of a fellow at a fair, who beat an unarmed man—and when he was taken up and tried for it, his excuse was, "I was defending myself." So they would cut our throats, and then say they were defending themselves. But what are the Brunswickers alarmed at—what single act have the Catholics done, that they should be afraid of us—all we want is our civil rights, and their defence against us for this attempt is to cut our throats. Every speech ended with the cry of "No surrender!" If any man had the misfortune, which I had, of reading through the different speeches made at that meeting,

and which I was obliged to do, in order to remark upon them, he would find that all the speeches were the same—they first said that they were not our enemies—next that our throats should be cut in their defence, and then they ended with the cry of "No surrender." Colonel Conolly spoke of the march of intellect, and there was a cry of down with it—and then he spoke of O'Connell, and there was a cry of "down with him." I feel much obliged for the compliment that was thus paid to me by coupling my name with the "march of intellect" But if "intellect" were on the march, it should indeed make long counter-march before it could reach the worthy Colonel Conolly. But they are quite right in crying out "down with the march of intellect," for unless intellect be completely extinct, they never can retain the ascendancy of which they have been so long unjustly possessed; but it is advancing rapidly—the bats should now seek to conceal themselves from the light which the sun of reason and intelligence is spreading over the world, and they ought in time to betake themselves to their holes and corners. The next speech worthy of particular observation was that made by the Member for Dublin. He said he was a lover of liberty—I believe he is, for he took great liberties with the Catholics, and still greater with history. He said he would not allow the Catholics freedom, because the Catholic religion was found inconsistant with political liberty. Now this gentleman has his one thousand a year—a sinecure of which he takes particular care, and he also belongs to what is called "a learned profession," and he really ought to learn a little of history. Making such an assertion as that, I would take any little boy of four or five years old to ask him how many republics were Protestants, and how many Catholics, and the Honourable Member would be obliged to answer all were Catholic except one, or two at the utmost. Was not William Tell a Catholic?—was not the republic of Venice Catholic, which maintained its independence for 800 years, and for 700 years struggled against an engrossing oligarchy?—were not the republics of Genoa, Florence, and Lucas, Catho-

lic; and Mariano a republic, under the very nose of the Pope? Let him look to South America, and will he not find Republics there established by Catholics? I love the man who opposes us, because he fairly imagines that our religion is inconsistent with liberty; if it were so, he would be right in opposing us, and I think it is a subject well worthy of consideration. I would show him that of the reformed religion of the States that had representative governments. Holland was one which immediately degenerated into a Statdholdership, merely governed by one person. When Geneva became Protestant, it lost its liberty; and the ferocious Calvin there put to death men for differing in opinion with him, and encouraged the establishment of laws against witchcraft, which had caused one hundred and fifty murders within fifty years Geneva was free till the Protestant Bernese conquered it; and Geneva, therefore, should be rather considered a reproach to the Protestants. Sweden was free until the Reformation was established in it, and Denmark was free until the Reformation struck down its liberties. What a contrast then does history present to us of the effects of the two religions; and is it not barbarous then thus to calumniate a religion which makes us tremblingly alive to the maintenance of political rights and avoidance of private wrong? The next speech that was made was by a Mr. Martin; and I saw, with great astonishment, that speech praised by the *Evening Post;* it was, in my opinion, nothing but paltry doggrel; the merest nonsense that ever was strung together, and nothing but a threadbare repetition of Phelan and Mortagh O'Sullivan. By the bye, I could call on some of my young friends to look to the newspapers, and they will find, that at the time we used to meet in Fishamble-street, a speech in favour of Emancipation was made by Mortagh O'Sullivan, or his brother; but the truth is, the speech of the Junior Fellow means this; my chambers are empty; Brunswickers, send me your children, in order that I may educate them; it was an advertisement. The worthy *fellow* rang a bell for his pupils,

and it was disgraceful to the present period to think that call would be attended to. Oh, it will be a happy period of my life, and I think it fast approaching, when a rival college will be instituted. That would be my my next ambition to having a code of laws that would be clear and intelligible, which would make the administration of the law cheap, and its decisions expeditious. It would be my ambition to have a college established, and it can be proved that moneyed men would receive seven per cent. upon their capital thus expended. I have no doubt there would be found in England, several monied men ready to advance the sum necessary for the institution of a new university; and if we can establish it, we will certainly call one of the wards "Martin's-square." Nothing now remains for me to observe further, upon this late meeting of the Brunswickers in Dublin, than that the sentiments there delivered were less truculent than those at other meetings in the country. I account for it thus; there were but few parsons at the meeting. The most violent and wicked speeches have certainly been made by the parsons; and though they are fond of taking money, they did not like even to expend the few pounds they would have to lay out by coming up to the meeting in Dublin. Parson Horner was not there; and Boyton, poor Boyton, was gagged. Oh! what a horrible thing it would have been if Boyton had died of a "suppression of speech." And as to Stack, he was busy adoring a magpie prelate. The late meeting, however, shews us the necessity of increasing our exertions. The best way of opposing them is by collecting the Catholic Rent, by establishing liberal clubs, by registering freeholders; and here I am proud to state, that though in Sligo the enemies of the Catholics have succeeded in establishing seventeen Brunswick Clubs, we will be able to turn out one, and I think the two bigots, who now represent it. Mr. Fitzstephen Ffrench, one of the finest young Irishmen I know, and one whose great acquisitions and talents must make him an ornament to his country, is certain of his election. We must have the Rent collected in every county in Ireland. Five individuals must undertake to report

how the rent is collected in the county; they will be responsible for every fifth week. Let not their report be as it is in some of the churchwardens! "the rent is being collected." I hate the phrase; men should say, the rent is collected. If any clergyman should be found, which I do not think there can, lukewarm in his exertions, his patriotism should be animated by those from a neighbouring county or parish. We have all the great advantages that have resulted from the deputations made to the neighbourhood of Dublin; and if Mr. Lawless had been permitted to proceed on his mission to the north, the result, I have no doubt, would have been most advantageous to us. But we know that our enemies would endeavour to provoke a breach of the peace; our anxiety is to preserve the peace, and therefore we were compelled to request him to return. We must persevere in our exertions for liberty; we must establish liberal clubs; we must proceed with the registering of freeholds. Lord Teynham, in his letter, has said that (what we could do) return eighty members to Parliament, and doing that, can we fail of success?—I am disposed still further to trespass upon your time. We have now held three of our provincial meetings; and as soon as Lord Rossmore arrives in town, I expect we shall be able to arrange for the provincial meetings in Ulster. We must also have our simultaneous meetings. But whether they shall take place province after province, or altogether, is a subject for discussion. At present I should prefer that those meetings should be held in Munster, Leinster, and Connaught, and not until these three had passed over, have the simultaneous meetings in Ulster. We must also have petitions from every parish on the Subletting Act and the Vestry Act. It is most probable that the Subletting Act will be repealed in the next session in Parliament. At one of the blood-hound meetings in the north, it was stated that it was the means of banishing from the country twenty-five thousand Protestants. In the south, it has been gradually driving them out; for the Protestant naturally and properly is not content that his children should be mere potato-diggers; he preferred rather taking them to

America, where industry was indulged, and where man had the power of bettering his condition in society. The Subletting Act was one of the worst attempts that had been made upon the peasantry, making them mere serfs and slaves; from whom, when the last farthing has been extracted, they would not be allowed even the rights of human beings. Having now somewhat fully discussed the affairs of Ireland, I turn to those of England; but before I do so, I must crave the indulgence of the meeting, whilst I throw away two or three remarks on Dr. Magee. It seems he has sent one hundred pounds to the Brunswickers; that is, we are told he has. I am not sure of the fact. I wish we could appoint a Committee to report upon it. I think if we could, it would turn out that he has got all the Rectors of the diocese, and even the Curates; especially those who are so amply provided for out of the Church-rates, to club their shillings or pounds to make up the sum. I would be glad to know what he has given to the Mendicity Association (a voice in the crowd, one hundred pounds). I own I am astonished. Perhaps he has repented of the act; and that, imitating the Popish observance of penance, he has chastized the flesh for it, by throwing his hundred pound note into the coffers of the Brunswickers. If this be not the true history of the matter, I can only conclude that *we* made him do it. I suppose all who hear me, must have seen the beautiful letter in which the one hundred pound note was sent to the Brunswickers. The *Register* of this morning has anticipated me in the literary criticism I would be disposed to bestow upon it. The Doctor knows the English language so well, that he talks of "convening an institution," and when it is convened, holding the meeting at the place called *Tuesday*, and on the day called *Rotunda*. This is college education for you; and how interesting when coming from the pen of an Archbishop, with an income of from £14,000 to £20,000 a year. But there is something much more comical in the letter than this. The worthy Doctor talks of the connection between Church and State, and as an Archbishop of the Protestant church; (he here in effect calls himself the

Protestant Archbishop, though he used to be so angry with us for giving him that appellation)—as an Archbishop of the Protestant church, he declares, that without such connection "neither can subsist." What a compliment to the true faith!" It cannot subsist without connection with the State; that thing which is ever changing, which was formed by man, which has so much of the rottenness and corruption of our natures, in spite of the best patriots, which is one thing in this generation, and another in the next; this is the great pillar of Protestantism; this is the rock upon which the "pure religion," according to Dr. Magee's letter, is built, or at all events the buttress without which it would fall to pieces and vanish from the world. What a libel upon Protestantism! Oh! that mine enemy would write not a book, but a letter. I would give one hundred pounds out of my own pocket for another such letter as this from Dr. Magee. But this epistle does not stop here. I think I behold the Doctor on his highest stilts, while I contemplate the following passage. He says "were it necessary to resort to an obligation of a still higher order, I should find it in the duty which enjoins an opposition to any power which would exert itself to impede the free circulation of the Holy Scriptures, and which would, in place of Divine authority, substitute the authority of man." Most wise and consistent Dr. Magee! The letter is not very long—that is the best thing in it; but before the Doctor could come to its conclusion, he forgot that he made the Church to depend upon the State, which State is the work of this same "authority of man" of which he discourses in the passage I have just read. He is, indeed, *Protest*ant Archbishop, for in the last sentence he *protests* against his own doctrine as laid down in the first. But I have not time to waste another word on Dr. Magee or his epistle to the Brunswickers. I hold in my hand, Mr. Chairman, a document which is, I understand, to be regarded as the first fruits of the Protestant Rent. I find that every one has got a copy of it. It is entitled "Massacre of the Protestant population of Ireland," and it professes to be "intended as provincial and county monuments, to perpetrate, to all future

generations, the infamous memory of the cold-blooded massacre and destruction of between three and four hundred thousand Protestants in Ireland, by the Romanists, in the two years, between 23rd of October—St Ignatius's day—1641, and 15th of September, 1643; and also of the Martyrs, burned by them, in the three kingdoms, at the period of the Reformation." A detail of calumnies, of atrocious and unblushing falsehoods, having this as a title of index, is the first thing that issues from the Brunswick press, after the institution of the Orange Rent. What horrible, what lying caitiffs these Brunswickers are. They talk of a massacre of between three and four hundred thousand Protestants, though Sir William Petty, whom they sometimes quote as an authority, has demonstrated that at this time there were not more than 250,000 Protestants in all Ireland. There was a massacre in these hideous and accursed times. Hundreds of thousands fell by sword, or by the pestilence and famine caused by the ruthless conquerors, but they were not Protestants. Cromwell took a three days ride through Tipperary without meeting a human being, and Tipperary surely was not populated by Protestants. Ludlow, regarded as a patriot in England, made a similar excursion in Louth. He found the country depopulated. The only footsteps of human beings he could discover were near a cave in that county. He inferred that some wretches were seeking shelter in the interior. He did not think it prudent to send any of his followers to penetrate the recesses; but he lit a fire, and caused it to burn at the mouth of the cave for four-and-twenty hours, thinking to do that by heat and smoke, which the most adventurous of his crew of hell-hounds would not attempt to execute by the sword. At length he sent in a person with an iron head-piece, the better to secure him against the remnant of mortality that might be supposed to have remained, and then it was discovered that eighteen persons out of twenty-one were suffocated. The three remaining were brought forward, and of these two were instantly put to death. The fiend Ludlow set about amusing himself with the third, and said to him, "Paddy, how or at what time would you wish

to die?" Paddy answered, "Just as your honour plases!" It was just as the monster pleased; but what think you when I state, and he himself is the narrator of the deed, that he alluded to it as an illustration merely of the *stupidity* of the Irishman!! It is with the horror and atrocity of times like these that Catholics are charged—Catholics, who were their principal victims—Catholics, who did not commence the sanguinary strife, and who, at worst, only acted in self-defence. Why do the blood-hounds refer to these times? what infatuation induces them to remind affrighted humanity of their horrors? Protestant persecution indeed! After the sword and gibbet had done their worst, were not the unoffending Catholics plundered of their properties, and then shipped off in crazy vessels to the other side of the world? I recollect having read legal documents relative to the forfeitures of O'Sullivan Beare, and the then head of the Kenmare family, in which it was set forth that certain tracts of land were granted to soldiers of Cromwell for contributing towards transporting Irish Catholics to the West Indies, 80,000 of whom were sent to Jamaica alone, and were, all of them, swept off the face of the earth in ten or twelve years. What madness tempts the stupid and besotted Brunswickers to remind us of such deeds! Their predecessors murdered in Cromwell's time, until I may say their weapons refused to do their office. Those whom it was not convenient to them to kill, they shipped off. Their Bible was their guide all this time. The pistols and the sacred word were carried in the same pouch. They said that "God was their helper," when they were rivalling hell itself in their enormities; and Cromwell, in recording the murders at the massacre of Drogheda, observed in his dispatch to the regicides of England, that it was "the Lord" who helped his people to do the work of death and slaughter so effectually! These are the monsters, prototypes of themselves, to whom the Brunswickers in their wisdom would carry back our minds. They were fiends in the gross and in detail. The very guides who conducted them on their excursions of death and desolation, they were accustomed to

assassinate for mere amusement. They used to cause an ignorant and simple poor wretch to blow into a pistol; but before half his breath was expended, it was the trick, the mere sport of the season, to send a bullet down his throat! Such are the deeds to which the blood-hounds are now spending their money in drawing our attention. And what do we discover on the opposite side of the picture? We witness the noble and chivalrous patriotism of Bishop Ross, as noticed by Lord Rossmore, who was charged by Broghill with the duty of inducing a garrison to surrender, his life depending upon his success; but who executed his commission by imploring the garrison to shew their fidelity to their country and their religion, by resisting the foe to the last. We witness the magnanimous humanity of O'Rourke of Dromahair. This noble spirited and valorous Irishman discovered that his brother was a prisoner of Sir Charles Coote, but he knew that he had in his own power three officers of Coote, besides his wife and daughter. He sent a messenger to Coote, offering the surrender of the wife, daughter, and three officers, on condition of the liberation of his brother. The miscreant Coote hanged the brother in the presence of the messenger. Now was the time for O'Rourke's revenge; now was his opportunity to imitate the deeds of the biblical marauders. He availed himself of this opportunity by sending home the three officers and the females, unmolested. I need scarcely say that being an heroic and high-minded Irishman, imitating the lofty virtues of his fathers, the females were unmolested, but even the officers did not suffer an injury of the hair of their head. These are the deeds of the "Great Rebellion," as it is called, with which we are able to confront the blood-hounds. But looking again to the heading of this infamous and lying document, I find the Brunswickers set forth that a certain atrocity occurred on the 23d of October, and that this was Saint Ignatius's Day. There seems to be a particular emphasis laid upon the fact of its being Saint Ignatius's Day. We have seen what the demon of calumny and falsehood has suggested to their depraved

and perverse minds on important subjects; the temptation of the wicked one has been successful even on this very insignificant point. The design, of course, is to cast a stigma on the Jesuits; but chronology so little justifies the puerile attempts, that it records that St. Ignatius's Day happens to be the 31st of July, and not on the 23d of October. In whatever shape, then, we are encountered by the blood-hounds, we meet nothing but lies. Be the occasion great or small, the propensity to lying is the same. As to the Protestant sufferers by the rebellion, the number, as stated by all competent and credible authorities, though bearing no sort of proportion to what is set down by the blood-hounds, is lamentably great. According to Sir William Petty, three or four thousand Protestants suffered; but their misfortunes were brought on them by the conduct of their own party; and I defy all the blood-hounds in Ireland to prove to me that the first massacre was not on the part of the Protestants, and did not occur in the Isle of Magee. As illustrative of the feelings that pervaded the Catholic community at the time, I need only instance the treaties between Charles and the Irish Commissioners, composed of different persuasions. Articles were agreed upon, at three several periods, 1643. 1645, and 1648. Charles was always for granting a general amnesty, but the Catholic Commissioners invariably made an exception of the crime of murder. They declared that they claimed no protection for their own people on that score, and were unwilling to extend it to others. This, more than ten thousand volumes, exhibited the quarter on which the guilt of murder lay at that period. And, I may here mention, that amongst the Commissioners who treated with the King, and who would give peace to his country, but who would not extend an amnesty to a cold-blooded and brutal murderer, was a relative of my own, and a Catholic Bishop in my native county. He was the pious, exemplary, and merciful Richard O'Connell; and, before the Abbey of Ardfert, did the severing of his honoured head from his body, by the sword of a King-killing, God-mocking, and

sanguinary Cromwellian, attest his fidelity to the cause of humanity and Ireland. Mr. Chairman, while I insist upon all these points, I am quite well aware that there are affidavits to be produced against me, I know that a set of worthy witnesses deposed, not as to what they had seen, or even heard, from the lying blood-hounds of the day, but as to what was declared in their presence by a certain congregation of ghosts. I am quite serious. Whatever we may think of the facts, the oaths were sworn; and if untrue, the damning perjuries were committed. Affidavits were sworn before liege servants of the King, of high station, and, of course unquestioned orthodoxy, all of them being Protestant, and these affidavits set forth sundry narrations of ghosts, as to what they in the times of their mortal existence, had suffered in limb and property. Dead men, it is said, tell no tales—but the rule was reversed to prove the popish massacre of the Protestants in the times of which I am speaking. Of the affidavit-swearers of this period, some of course were more adventurous and poetical than others but the lad who transcended all the fiction of his fellows, who out-swore the swearers as to the dialogues held with the ghosts, that appeared on the surface of the waters of the Bann, and detailed their sublunary misfortunes, was one Maxwell, who was a Dean of the Protestant church. I do not know whether they made him an Archbishop of Glendalough for the act, but I have ascertained that he was the great great grandfather of my Lord Farnham of these our present and very blessed times. Let the lies of Dean Maxwell go to posterity with the records of the patriotism of Bishop Ross, and the humanity of O'Rourke of Dromhair; and let me now express a hope that even I may live to see the day when all classes of Irishmen will execrate the memory of the wretches who contributed their ghost stories to the degradation and enslavement of their country, and many will be found who will raise a monument to the glories of a Ross and an O'Rourke. I now turn to an article of the *Quarterly Review*, which occupies nearly one-third of the last number of that Journal. It is the production of a Tory—it is, indeed, a manifesto of Toryism. It

does me the honour of introducing my name, and it attacks me of having indicated, on a certain occasion, that I recollected the murder, under legal forms, but through blood-hound instrumentality, of Father Sheehy. Its words are—"If the case had been as bad as represented, it would afford no justification, no excuse, no palliation for the demagogue, who, after 59 years, thus revived it, for the purpose of exasperating a ferocious multitude. But the fact is that this Father Sheehy was mainly instrumental in exciting the Whiteboy disturbances; and having thoroughly deserved death, suffered it (like Probert,) after a verdict upon which, it is probable, that he might not have been executed, had it not been for his previous and notorious character." Now I ask any honest man, in contempt and execration of the doctrine laid down by the blood-hound reviewer, whether the recollection of this act of legal murder ought not to be revived. What is my object in reviving it? Is it vengeance? No. To the just and eternal God I leave the attribute which only belongs to him. I want no vengeance; I only desire to give warning; and when I mention the fate of Father Sheehy, my only wish is to draw a picture of what we may experience, if a blood-hound ascendency were established. I want no reference to the past, even for purposes of what some would regard as a just retribution; but when the blood-hounds seek to usurp (as they really do) the government of these realms—when their Romney Robinsons have the audacity to discourse of the benefits that may result from a doing away of the Parliament itself—I think it judicious, and indeed necessary to exemplify, by the fate of the martyred Sheehy, what we would have to expect, if they established their ascendency. And what was this fate? The Tory reviewer admits it was undeserved.—Toryism is prepared almost for any baseness: but it did not venture so far in reference to Mr. Sheehy as not to admit that he was executed on a false verdict. And what is the excuse of Brunswickism for the execution of a man—of a Priest—upon a false verdict? It is, as usual, found in a lie; and the lie tells, as the devil who invented it may be supposed to tell, that Father Sheehy, though not guilty of the offence

imputed to him, was guilty of other offences which merited death. Supposing the statement of the blood-hound Reviewer to be true, is there a man in the community fit to give an opinion of public transactions, who would come to his conclusion? He actually sits down in perfect complacency in the contemplation of Father Sheehy's execution, in pursuance of a false and flagitious verdict, because some person had alleged, or had hinted, that the martyr had been concerned in transactions not contemplated at his trial. Let the law imitate this mode of dealing with human life, and let us have at once the blessed comforts of an Algerine government. The wretch who propounded these doctrines in *The Review* is fit only to live under such a Government. Supposing his allegations to be true and unquestionable, his doctrine would warrant a tyranny, such even as the African States are not cursed with. But what are we to think of the man or his maxims, when we know that his entire premises and assumptions are utterly unfounded. There is nothing so well attested as that Father Sheehy was a strenuous and indefatigable labourer in the cause of public peace. When he was accused, when a price was set upon his head, in the consciousness of his perfect innocence, he offered to surrender himself, provided he was assured that he would be tried by a Jury of Dublin citizens. The government of the day accepted his surrender on his own terms, and his case went before a Jury of the citizens of Dublin (all Protestants of course.) By this Jury he was honourably acquitted. A notorious prostitute of infamous character, and other witnesses of similar stamp, were produced against him, their story, at the same time being quite incredible. In Dublin he was fully acquitted. But, on the same charges, supported by the same witnesses, he was subsequently brought to trial in Clonmel, against whose tribunals he protested, and, indeed, against the adjudication he was insured; and by these judges he was, at length, condemned—and condemned for the murder of a man, who lived for upwards of forty years after he was thus brutally and murderously sacrificed. This is the man whose fate the blood-hounds would palliate, and whose memory, after murder-

ing the man, they would load with obloquy. We thank the blood-hounds for giving us, through their Review, an index to their whole system of governing Ireland, in their mode of dealing with the base, the brutal, the cowardly, and perfidious, though *legal* murderers of Father Sheehy. Passing from the case of Father Sheehy, the Reviewer founds some hypothesis upon the statements of Spenser, the poet, who was one of the functionaries employed by England, in governing Ireland at the period alluded to. Spenser says—"Through the fatal destiny of that land, no purposes whatever which are meant for her good will prosper, or have a good effect; which, whether it proceed from the very genius of the soil, or influence of the stars; or that Almighty God hath not yet appointed the time of her reformation; or that he reserveth her in this unquiet state still, for some secret scourge, which shall by her come unto England, it is hard to be known, yet much to be feared." Spenser (said Mr. O'Connell) had the blood-hound notions of what is conducive to the prosperity of the country. The good easy rhymester thought it quite consistent, both with the canons of verse and equity, to possess himself of sixteen thousand acres belonging to the Macarthys—and because these outcast and plundered people came one night to his castle, and had a desperate revenge, he quietly and philosophically set it down for the guidance of prosperity, that nothing which is meant for the good of Ireland will prosper. But the grand effort of the Reviewer, is to celebrate and glorify the administration of the execrable Strafford. He describes that administration as being equally wise and vigorous—and more than that, he speaks of Strafford as having undertaken successfully to reform and "re-edify" the Church. And what were the characteristics of the wise and vigorous administration? After five hundred enormities, Strafford claimed at one time the entire province of Connaught as a forfeiture to the Crown. The thing could not be managed without a recourse to those legal forms which so often serve the purposes of Brunswickism.—A Jury of Galway men was empanelled to try the claims of the Crown. They honestly, and on their oaths, found against the claim;

and what was the consequence? Strafford, the wise and vigorous governor, whom the Brunswickers would imitate, and whom they celebrate as a person intended to "re-edify" the Church, fined the Sheriff 10,000*l*, for empanelling such a Jury, and fined each Juryman 4,000*l*. for returning such a verdict. The Jurymen were composed of the first and most affluent gentlemen of the province of Connaught, and a proof of this is, that ten out of twelve of them were able to pay the fine of 4,000*l*., at that remote period, without going to jail, to which they were doomed in failure of the payment of the fine; and it is a curious fact, that one of these jurors was Mr. Richard Blake, the direct ancestor of the present Chief Remembrancer of Ireland. After the experiment of Galway, the wise and vigorous Strafford took care to appoint his own sheriffs, and select his own jurymen. He was not satisfied with this precaution, and went the length of enlisting the rapacity of the judges in the service of his wise and vigorous administration, giving them, 5*s*. in the pound upon the produce of all forfeitures of Irish estates. This last stroke of his policy he took care to specially eulogise in his communications with the authorities in England—and he noted in a very emphatic way, that loyal and favourable as were sheriffs, jurors, and judges, they never worked so pleasantly or so well in stripping Irish Papists of their property as when they acted under the superintendence of a troop of dragoons. This is the man whom the Tories praise as a wise and vigorous governor, and as a person to "re-edify" the Irish church. It is such a man that they wish to have for a governor in this era of the world. Even the parsons amongst them cry out for an absolute king, and an abolition of the representative branch of the constitution. There is nothing arbitrary in the conduct of the present or the past men, who have, or who had, any influence on public affairs, which is not an object of their deliberative eulogy. Oh! what would be their triumph over us if we were the propounders of their doctrines, or the encomiasts of the men who are the champions of their cause, and whom they select for their leaders? Supposing that we were to select

Don Miguel as the object of our adoration—(recollect, Gentlemen, that Stack or Boyton, or both, avowed himself, or themselves, an adorer or adorers of Doctor Magee, of the magpie trot and the silken petticoat)—supposing, for a moment, that I, who am an inventor of an Order of Liberators, were to select Don Miguel for my grand master, what would not be the cry amongst the whole pack of blood-hounds? Don Miguel! the wretch who is stained with the guilt of midnight assassination!—Don Miguel, who is not less a monster, because he is an unpunished murderer!—Don Miguel, who is supposed on good grounds to have made attempts, which cannot be named, on his own sister!—Don Miguel, who has been detected in the perpetration of abominations for which the fire of heaven fell on a portion of the ancient world! — Don Miguel, whom his country would expatriate, and whom his country would deprive of the guardianship of his own offspring! I say, suppose I had selected such a being as Don Miguel as the grand master of my order, what would the blood-hounds say? They would, of course, pronounce my means to be iniquitous, and my objects the *ne plus ultra* of diabolism. However, I am forgetting Strafford, and the re-edification of the church. His plan was very candidly disclosed, in his letter to the Archbishop of Canterbury, on the 16th of December, 1634. In that letter he discoursed of the proceedings of the convocation appointed to consider of the canons of the Church of England. He mentions, in sundry places, his successful efforts to brow-beat and terrify the ecclesiastics with whom he had communication. He says "he would not endure that the articles of the Church of England should be disputed." This wise and vigorous governor—this re-edifier of the church—this champion of the faith, "whose service is perfect freedom," points out, in detail, the way in which intimidation and brute force effected his objects against the entire ecclesiastical body of Ireland. And when he had given all his particulars and concluded his narrative, he congratulated the King upon being "as absolute here as any Prince in the whole world.' Absolute indeed he

was, through, his deputy. The Bishops were terrified; the Jurors were fined or incarcerated; the Judges had a per centage on the amount of public robbery; life itself, in fact, was not worth possessing; and these are the times to which the Brunswickers want us to revert, and Strafford is the man they hold up to us as the model of a chief governor. I should mention that one Doctor Andrews was a great obstruction to the re-edification of the church, according to the plan of the wise and vigorous governor.—And what punishment did he propose to the pious Archbishop of Canterbury to inflict on this stubborn ecclesiastic? He had a valuable deanery, and Strafford proposed to the Archbishop to promote him to the bishopric of Laughlin and Fernes, which was the poorest in Ireland, and which would reward Dr. Andrews with a mitre at the loss of half his income. This is the wise and vigorous Strafford. The Brunswickers wish for such another governor. Their orange ascendency means nothing more than despotism and public plunder. They aim at nothing but despotism. I have no hesitation in accusing them of treasonable designs against the constitution. I spoke of this in July last, and the newspapers will bear me out in the assertion, before we had the lights of the facts that are now before us. They treasonably and traitorously meditate a change in the succession to the throne. I accuse no branch of the Royal Family of favouring their designs. The entire guilt of their wicked enterprise I suppose to be on their own shoulders—but that they are guilty of traitorous and treasonable designs, I have, not for one the most remote doubt. But we will put down the traitors and their treason. We will take only as our auxiliaries such helps as we can derive from the law. We rely with confidence on the justice of the Representative of the King, and his noble and high-minded Secretary. Our hearts could not desire a functionary to preside over the law more wise, more learned, or more upright than Sir Anthony Hart. With such individuals filling the greatest offices of the State the good and virtuous man who only desires the pacification

of his country has much to hope. I own I have great hope, and that hope shall never forsake me until I find the Catholic Body growing apathetic until I find the Rent declining, and above all, until I find our brave and inimitable peasantry forgetting the counsel which we have now, and which we have for ever given them—to be obedient, entirely and altogether obedient to the law. After some further observations, the Learned Gentleman concluded by proposing, that a Requisition should be addressed to the Secretary of the Catholics to call an Aggregate Meeting for the 29th. He said, it was rumoured that the Protestant friends of civil and religious liberty intended a meeting on that day. If this rumour should turn out well founded, the Catholics would readily give way, and hail the demonstration on the Protestant side as a new ground of hope that all honest men would speedily be united for Ireland—old Ireland. [The Learned Gentleman intimating that his other propositions he would take leave to submit on Thursday, sat down amid plaudits which continued for several moments].

The period was now fast approaching when the great question was to be tried of the elegibility of Mr. O'Connell to sit in the House of Commons pursuant of his return as member for the County of Clare. It was evident to every one, under the existing law that no individual could sit or vote in either House of Parliament, without having taken those preliminary oaths which no Roman Catholic could venture to swear without objuring his religion. A Mr. Charles Buller, however a lawyer of reputation and a Catholic, came out soon after the Clare Election with an argument on the effect of the several statutes prescribing the oaths to be taken by Members of Parliament, to prove that a Roman Catholic, elected for Clare could enforce his privileges as a member without taking the Anti-Catholic oaths. This opinion of Mr. Buller, was most ably met by Mr. Sugden, who, as far as a faithful recital of Acts of Parliament, and a clear and intelligible construction of them could go towards overturning a plausible though

perverse error, completely settled the question of any man taking his seat in Parliament, without having previously sworn and signed the oaths and declarations which are invariably subscribed to by members of the imperial legislature.

At a meeting however of the Catholic Association held on Thursday the 8th of January, Mr. O Connell delivered his own sentiments on the subject in the following manner.

I will, at the close of this week, publish my own views of the case, in a series of clear propositions, which will show, that unless the House infringe upon their own rights, and upon the principles of the constitution, they cannot legally exclude me. I have been elected to fill that place by the unbought suffrages of the people. It remains to be seen if the House of Commons will venture to disfranchise a whole county—I might say a nation. I shall not express at length my opinions in this room, because they may be misunderstood. When I spoke before upon this subject, I forgot I was speaking to persons who were ignorant of the law; and no blame to them, for I would be glad to know who is truly learned in it. I will now, however, throw out my mind in a narrow compass upon the state in which I am placed, and I will put the question in the worst and strongest light against myself. In England there are two Acts of Parliament requiring certain oaths from members before they can sit and vote in the honourable House. One of these is the statute of Elizabeth, and the other was passed in the reign of the second Charles. They are both of the following description:—The first binds the member who takes it to deny the spiritual supremacy of the Pope. I never can, never will deny that. Not all the grandeur of all the thrones upon earth could seduce me to a denial of that power. I admit it from my heart. But I have sworn, and am ready to swear again, that 'no foreign power or Pope hath, or ought to have, any temporal power, superiority, or pre-eminence, directly or indirectly, within these realms.' The second of these oaths asserts that 'the sacrifice of the mass and the invocation of saints, as used in the Catholic church, are impious and idolatrous. The latter I think a good and holy rite; the

other I believe to be an adorable sacrifice of the new law, and I can never subscribe, much less swear, to a denial of either. I have stated, that in point of law, these statutes exist in England; but in Ireland we have no such Act of Parliament. 'Tis true, the Parliament of William and Mary, after the infraction of the Treaty of Limerick, passed such a law; but it was the English, and not the Irish Parliament. And, I say, the English legislature had no right to enact any laws binding the Irish nation. What! the English Parliament make a law for Ireland, when the land was not under its control!! Soon after 1782, Yelverton, then Attorney-General, brought in certain Acts, sanctioning some British Acts of Parliament, but not the Acts making the oaths imperative. I think, therefore, Charles Butler has taken a strong ground when he says Yelverton's Act did not sanction the unjust usurpation of prerogative on the part of England in the reign of William and Mary. It has been said, that at the time of the Union, the Acts requiring these oaths existed in England and in Ireland. These oaths went still further, for they were penal, inasmuch as any member who took his seat without first swallowing the oaths, was subject to a penalty of 500*l.* for every hour, he should so sit, together with a forfeiture of his seat, and of his capacity to serve the King, or hold any place of trust or emolument under the Crown. If these clauses were not embodied in the Act, it could not be penal. Then came the Union. By the articles of Union the oaths were prescribed, but the penalties were not repeated. The Act of Union has not provided a forfeiture of seat, nor of right to enjoy place, neither does it enjoin a penalty of 500*l.* an hour. I say so, because the statute is penal; and a penal statute cannot be proceeded upon by implication; the offence and the penalty must be expressed. I now defy the base herd of my own profession, who are working their brains out to make a case against me, to deny or disprove this position. I ask them, could they, under the existing laws, sustain an action against me, for the recovery of the 500*l.* per hour? They dare not say they could. In the Act of Union between Eng-

land and Scotland, the penal clauses are expressed.—Now, they are useful, or they are not. If not useful, why retain them in the Scotch Act of Union? and if they are useful and necessary, then they cannot apply to Ireland; and therefore there is no law to prevent me from taking my seat. Here is the contrast, and let the Tory lawyers and press, and worse enemies, our base pretended friends, explain it away if they can. I put this to the base offal of my own profession, and to the representatives of the rotten boroughs and corrupt aristocracy of the empire, and I defy them to get out of it in such a manner as will please any sound lawyer. Again I ask, do the Acts of Union of Ireland and of Scotland mean the same? No man of common sense will answer in the affirmative. Therefore, I defy them to deprive me of my right to that place, given to me by the martyred and unbought people of Clare. But I am told the Speaker will dispose of the question in a summary way by sending for his myrmidons and the Serjeant-at-Arms, and ordering them to put me out. I tell him this is not the way to settle a national question. I'll beard Mr. Speaker in his den if he attempt any such unconstitutional settling of the Irish question. I'll say to him, "Sir, the people of Ireland have sent me here to plead their cause and to represent their feelings; I am legally and duly elected to represent a large and independent county in Parliament, but, Mr. Manners Sutton, pray what rotten borough has sent you here to decide upon a people's rights by your nod? If they do not allow me to defend myself, it will be *prima facie* evidence of the weakness of their case: and all Europe may draw its conclusions. I shall be attended on my journey by the aristocracy and gentry of Ireland, and I know of no country that can boast of a nobler aristocracy. I admit the not taking the oaths may be an indictable offence; but I can demur to every one of their indictments, and I defy them to maintain the ground of action. The English Act does not say where or when the oath must be taken. I can therefore enter the House and pass through the session without taking it, and incur no danger of indictment. This, to be sure, is

only a technical argument, but still it is a good and valid one. The Irish Act does not say who is to put the oath, neither does it point out the form. They cannot then say who is authorized to tender the oath, and therefore it is he who puts the oath, and not he who refuses to take it, that is exposed to the indictment. But, despite of all the host of prejudice I shall have to encounter, if I am but supported by the friends of freedom and of the constitution, I will show Mr. Speaker that I am a better lawyer than he, and that the case is decidedly for me. Thus will emancipation be obtained in the easiest possible way; for if the oaths are once flung into disrepute, their bad effects must soon vanish. I have detained you too long on this subject; for although the subject is one of paramount importance, it is very dry and uninteresting in the detail. If I be admitted to take my seat, what member will dare, in my presence, to revile my country or insult my creed? How often have we been abused in the House of Commons, on account of tenets we condemn, and doctrines we abjure? I might support a law excluding from place or power men who would entertain such opinions; although I condemn all laws that bind opinion; for it is against acts and not opinions that laws should be made. I recollect having heard an honourable member adduce, as an argument against our claims, the Roman *Index Expurgatorius*. I would, if in my place, ask the gentleman, if he had ever heard of the Spanish *Index Expurgatorius*, in which the reading of the Roman one was prohibited? The Pope, as a temporal prince, may, in his own dominions, make any law he pleases, but if he were to attempt to extend them to Ireland, I would scout them as a mere vapour. But when the Speaker brings charges against us, I would remind him to beware, for by the statute of Elizabeth, if he have in his possession a Catholic Bible, he may be fined 5*l.*; if a Prayer Book, 100*l.*; and if a *Coucher*, he may be imprisoned during the King's pleasure.

On the 30th of January. Mr. O'Connell left Dublin for the purpose of taking his seat in the House of Commons, and perhaps no circumstance in the history of that period, created

a greater sensation. Previously however to his departure, he published an address as the representative for Clare, to the members of the House of Commons, containing an elaborate legal argument on his right to enter that assembly, and to exercise all the privileges of a member, without previously taking those oaths of which the Catholics complain. The extreme length of this address, prevents our insertion of it, but it was generally acknowledged that it was written with temper and moderation, and that his argument was conducted with the skill and ingenuity of an experienced lawyer.

On the meeting of Parliament, a petition was presented against the return of Mr. O'Connell, and a select committee was appointed to examine the grounds on which his ineligibility to sit were supposed to be founded. The committee met on Wednesday the 5th of March, at the sitting of which, there were comparatively few strangers present, owing probably to a report that the committee were not to sit till 12 o'clock. But soon after that hour, the room was crowded to inconvenience, and continued so throughout the day.

Mr. O'Connell sat at the table along with his counsel. During parts of the day, he sat with his hat on, a privilege allowed only to members.

The counsel for the petitioners were Mr. Harrison, Mr. Adam, and Mr. Doherty, an Irish barrister.

Those for Mr. O'Connell were Mr. F. Pollock, Mr. Alderson, Mr. C. Phillips, and Mr. Lynch of the Chancery bar.

Mr. Walmesley, the clerk of the committee, read the petition against the return of Mr. O'Connell, which set forth that on the hustings he (Mr. O'Connell) said he was "a Roman Catholic, and would so continue till the end of his life;" that "he would never take the oaths," &c. It also detailed the placards—acts of intimidation—commands of "vote for your religion," &c.

Mr. Harrison asked whether it was requisite to read the whole of the petition? All the allegations were abandoned except that as to the *eligibility* of Mr. O'Connell. The question, in fact, reduced itself to a question of law.

The Chairman, after consulting with the committee, acquiesced.

Mr. Harrison then said, that he had made a proposition to the counsel of Mr. O'Connell. He was instructed to submit, that Mr. O'Connell was ineligible to sit as a member, and therefore to be elected. He had, consequently, to urge on the committee to direct the inquiry first to be made, whether Mr. O'Connell was eligible? If the question were decided against him, such decision would close his case, for all depended on that question. He quoted several cases from Douglas's Reports and Election Law, to show that the committee, where there were several points of inquiry, had frequently decided that the material point, whether of law or otherwise, should be first settled. It would materially save the labour of the committee if this course were pursued. The only question he and his friends had to raise was, whether Mr. O'Connell was eligible? If Mr. O'Connell were not eligible, then it remained for him to show that Mr. O'Connell was a Roman Catholic,—that the fact was notorious,—and that the election proceeded on the notoriety of such fact.

Mr. Adam spoke to the like effect, observing, that by the committee coming to such decision, the time would be materially saved.

Mr. F. Pollock, on the part of Mr. O'Connell, complained of being taken somewhat by surprise, and of the want of courtesy in its not having been communicated to him what course would be pursued. His learned friend had chosen to assume that Mr. O'Connell was a Roman Catholic; and on that was to be raised a dry abstract question of law, without any knowledge of the facts on which that barren question was to be raised. There was new law, too, pronounced—that Mr. O'Connell being a Roman Catholic, as was assumed, was ineligible to be elected. But "Roman Catholic"—he had read all the acts, and he no where found the words, as to whether a "Roman Catholic" was eligible or ineligible. What was meant by "Roman Catholic?"

Mr. Harrison.—Well, I will not quarrel about terms; I mean Papist.

Mr. F. Pollock admitted that there were certain barriers to protect the representation; and that the committee could decide by what course they would pursue the inquiry; but he implored the committee to allow him to bear the facts to which they intended to apply the alleged law before they were called on to argue an abstract question of law. Let the facts first be stated.

Mr. Alderson followed on the same side. He admitted where there were different points, it was convenient to separate the objects of investigation, and complained of the unfairness of being first, and unexpectedly, required to argue a dry question of law.

Mr. Harrison begged to observe that he had meant no unfairness; that he had pursued the usual course in election cases, and that during twenty-six years' practice before Commons' Election Committees, he had never given the previous notice now complained of as not having been given. He thought it was by far the best course to settle this question first. If he were thrown upon the proof, he would appeal to the notoriety of the fact, and to the repeated declarations of Mr. O'Connell, that he not only was a Roman Catholic or Papist, but that he would ever continue such.

Lord W. Russell desired Mr. Harrison to say, in distinct terms, what was his proposition.

Mr. Harrison.—It is this—that Mr. O'Connell, being a Roman Catholic, or Papist, was ineligible to be elected, to be returned, or to sit.

The Committee then desired the room to be cleared. After about ten minutes' consultation, the counsel and agents were re-admitted.

Lord W. Russell then said—"As chairman, I am desired to inform you, that the committee are of opinion the counsel for the petition should first proceed to prove the fact."

Mr. Harrison.—That is, to prove the whole of my case.

The Chairman.—Yes, the whole facts of your case

Mr. Harrison then rose for such purpose. He began by observing, that he should have to trespass at great length, by first stating the law of the case, the several statutes passed to exclude Papists from the Houses of Parliament,—namely, 5th Elizabeth, 3d James I., 7th James I., 30th Charles I., and 1st William and Mary. They required the oaths of allegiance and supremacy first to be taken before the Lord Steward, or his deputy, and then in the house, with the Speaker in the chair. That course continued down to the present time. The 1st of William and Mary particularly described the former oaths, the modes of taking them, and again enacted that they should still continue to be taken in such manner, and none other. This was requisite to be enforced by the convention Parliament, because the Dissenters would not take the oath of supremacy any more than the Papists or Roman Catholics; for the one said that Christ was the head of the church, as the Papists declared the Pope to be. The first act of William and Mary was the only act that applied to the case, though others had been referred to—he meant by the gentleman against whom he petitioned. He did not know how to describe that gentleman. He was not the sitting member, because he had not appeared to take his seat; he did not like to call him the "franking" member, as some had termed him: he would therefore style him by a term that was well known and much used in Ireland—the "titular" member for Clare—and that would be equally applicable after Mr. Vesey Fitzgerald should have taken his seat for Clare. (A laugh.) He contended that, next to the laws existing, the constant practice of the law was the strongest proof. No one ever dreamed that unnecessary oaths had been taken, till the titular member for Clare came with his new light; but he maintained that 1 William, c. 8, was the governing statute, and referred to by 1 Geo. I., 6 Geo. III, c. 53, as well as the Act of Union, recognized it. The forms of oaths were there settled, and so continued down to the present time. [Mr. Harrison argued these points at

great length, reading the several clauses of the different acts. But it was said that no time was prescribed when the oaths should be taken; this was answered not only by the acts already named, but by the 33 Geo. II. chap. 20. all which prescribed that the several oaths, &c. must be taken "before they can sit and vote." Then, unless the member, whoever he might be, intended not to go into the house—he spoke seriously—unless he desired to continue the "titular" or "franking" member—the member must take the oaths "before" he took the seat, and voted. Unless he read the acts, it would hardly be believed that a barrister who ought to have known better, could have asserted in print, the pamphlets having been most industriously circulated, that "no time" was specified for taking the oaths. The like omissions on broad assertions were made respecting Yelverton's Act, the Union, &c. He contended that the act of Union, 39 and 40 Geo. III. c. 67, said, as regarded peers, that they should take the oaths and make the declaration as then established by law. It abrogated no laws, except where that was specifically done; but on the contrary, enjoined the taking and subscribing of oaths, &c., as previously established. As to the doctrine held to the contrary, it was puerile and absurd. And as to "Roman Catholics" being no where mentioned, as was alleged by Mr. Pollock, the 33d Geo. III. c. 21, was expressly "for the further relief of Papists or Roman Catholics." The learned gentleman then proceeded at some length to show, that by the construction of those acts a Roman Catholic, was ineligible to sit, and, being so ineligible, a person declaring himself to be a Roman Catholic, and that being a matter of notoriety, he was ineligible to be a candidate, or to be returned, and that therefore his election was to all intents and purposes null and void. At the conclusion of his address, the learned gentleman put in the return of the High Sheriff, to which were appended a certificate from the office of the Crown and Hanaper in Ireland, of Mr. O'Connell having been sworn in as a Roman Catholic barrister, also an affidavit of his having declared himself a Catholic.

Mr. F. Pollock objected to those documents being received

with the return, and contended, that the sheriff had no right to make those additions to his return; and that on that ground they could not be received. Nothing could be received as evidence but the return. In some particular cases the sheriff might no doubt receive evidence; for instance, in that of a boy of tender age, and notoriously a minor, he might receive evidence of the fact, and append it to his return; but in most other cases, and in the present, his office was purely ministerial, and he was bound to make the return, and any addition to it would be irregular on his part, and could not therefore be admitted as evidence with the return itself. It was suggested to him (Mr. Pollock) by his learned friend Mr. Alderson, that a clergyman entering a register of a baptism, and adding in it the age of the child, the register would be legal evidence of the baptism, but the entry of the age could not be received as evidence of the age, because the party was authorized only to register the fact of the baptism, and not the age. In like manner an entry or addition to the return, which the sheriff was not authorized to make, could not be received as evidence of any fact with the return.

Mr. Harrison contended, that the sheriff was bound to state, in his return, the special circumstances of any peculiar case, and to add any evidence that he might have received of those circumstances; and that such addition must be received along with the return. As to the case which his learned friend had cited, the entry of the clergyman of the age of the child could not be legally received, because the clergyman could not know the fact of his own knowledge.

Mr. Pollock, in reply, observed, that let the same test be put to the case before the committee, and it would at once put an end to his learned friend's argument. How, he asked, could the sheriff know any thing of the affidavit? It was handed to him as sworn; but how could he know that fact, or know that it was true?

After some further discussion, the room was cleared, and strangers were excluded for about 20 minutes.

On the return of counsel, they were informed by the Chair-

man, that the documents appended to the writ might be read: but that reading was not to be considered as evidence of the truth of their contents.

The documents were then read by the clerk, after which Colonel Fitzgerald was put into the box, and proved that he had heard Mr. O'Connell declare at the hustings that the freeholders had to choose between him and Mr. Vesey Fitgerald; that Mr. Fitgerald had sworn, on taking his seat in Parliament, that their religion (that of the Catholics) was impious and idolatrous, and was ready to swear it again, should he be returned; but that he (Mr. O'Connell) being a Roman Catholic, would never take any such oath,—that he would sooner die first

On his cross-examination, Colonel Fitzgerald admitted that Mr. O'Connell more than once declared that it was not necessary that he, as a Catholic, should take the oaths,—that he would try that question.

Mr. Dillon Macnamara gave similar testimony as to the declarations of Mr. O'Connell of his being a Catholic.

In his cross-examination, he made the same admission as to Mr. O'Connell's assertion, that it would not be necessary for him to take the oaths previously to his taking his seat.

In answer to another question, as to whether Mr. O'Connell had not expressed his determination to try the right, witness replied, that no doubt he had, but the right could not be tried till the return was made. This produced a laugh among Mr. O'Connell's friends; and Mr. O'Connell observed to one of his counsel—"Certainly it could not, and that is the whole of the case."

Harrison said he should call no further evidence on this part of his case.

The Chairman, after consulting with the committee, declared it would be advisable to adjourn the committee till the following day, when it again met and Mr. Pollock intimated that it was not intended to examine any witnesses on the part of Mr. O'Connnell,

Mr. Adam said that that would throw some difficulty in his

way, and then proceeded to argue in support of the petition. The learned gentleman, in the first instance, directed his attention to the various text writers and authorities, proving the necessity of taking the oaths of allegiance and supremacy before the Lord Steward, prior to any member's being admitted, under the law of the 1st of Elizabeth to enter the House of Commons. The principal act, however, on which he relied in this part of his case, was the 3d William and Mary, c. 2 which extended to Ireland the provisions of the statute 30th Charles II.; and he referred to the history of that period in support of his construction of this act, in order to show that the object of it was to exclude Papists. That was effected by one of the clauses, which declared the Invocation of the Virgin Mary and the sacrifice of the mass to be superstitious and idolatrous, which was a test that the Catholic could not get over. That, however, was not the only test. It had been attempted to be denied that Yelverton's Act, which recognized these statutes, did not adopt them so as to create exclusion. But a very slight consideration of the very words of the statute would suffice to prove the futility of such an argument. From the passing of that act up to the time of the Union. Members of Parliament took the oaths prescribed by the English statute of Charles II., and it was not until lately that this new light broke in, by which it appeared that these statutes had no reference to Ireland at all. The 9th section of the act of 1793, which relieved the Catholics, also mentioned that no one could sit in Parliament unless the oaths and declarations were made and subscribed according to the law as then in force, thereby expressly recognizing the act of William and Mary. If the act of Union did, as he contended, continue the law, it was certain that no Catholic could sit in Parliament; and if even there were any doubt upon that act, the 41st Geo. III. ch. 52, 101, left no doubt upon the subject, and seemed as if framed in anticipation of the arguments used at the other side. It could not be deduced from either of them that it was the intention of the legislature at the time of the Union to let Roman Catholics into Parliament. He admitted that if the prohibi-

tions in these acts were established for the first time, they would not amount to a disqualification. But the act enjoined the taking of the oaths before accustomed and known to be taken by the members of both the Parliaments, which were then united; and it was therefore impossible to say that all the consequences which were applicable to English members of Parliament would not equally apply to Irish members. It was said that there was no time, place, or person appointed for the administering the oath, which would leave the act open to this interpretation, that no oath at all need be taken. The nature of the act pointed out a place, for the 30th Ch. II. merely said that the oath was to be taken in the House of Commons, and no more; therefore, it would be absurd to say that there was no place to be found for the purpose. The time, place, and manner were provided by the different acts to which the act of Union referred, and it was not necessary they should be set out *modo et forma*, as if they were to be inserted in a special declaration. A distinction was drawn also between the act of Union with Ireland and that of Scotland, because in the latter the disabilities were directly declared to follow from the refusal of the oaths, while in the former there is only an injunction to take the oaths theretofore usually taken. Both of them, however, were equally valid; the latter might no doubt have been as special, but it was not reasonable to infer from the absence of special and precise terms, that it was the intention of the Legislature to omit the fulfilment of what it had before enjoined. The learned gentleman then proceeded to argue, that the 41st Geo. III. c. 52, applied to all persons returned to Parliament. In proof of this he referred to the title of the act, which described it as showing "what persons" are disabled from voting and sitting in Parliament. There were three classes of persons so disabled by the act, the first and second of which had no particular reference to placemen, but applied equally to all. The learned gentleman, after concluding this part of his case, proceeded to argue, that if a Papist could not sit and vote, he was not eligible to be returned. He began by asking for what

purpose would a member be sent to Parliament if he could not sit there, except indeed to give considerable trouble in the first instance, and to leave a portion of the King's subjects unrepresented. There was nothing more jealously looked for than having a full House of Commons, and it was therefore the intention of the Legislature that every member should be able to sit: otherwise the law would allow, what it never does, that something should be done in vain. The 6th section of the 41st Geo. III. proved this; for it said, that "if any person declared incapable, or disabled from sitting and voting, should nevertheless be elected, such return or election was declared null and void. The consequence then must be, that a new writ should be issued, and a new election be had. Assuming, therefore, that a Roman Catholic could not sit, he contended that the election of one was void. The learned gentleman supported this argument by several quotations from Blackstone, Douglas, and by reference to the cases of Sir Richard Allen and Mr. Ongly, which arose under the acts of King William and Queen Anne, with respect to placemen. He contended, further, that a member was complete the moment he was returned, before he either sat or voted; and in proof of this he cited "Hatsell, page 88," who instanced, in support of this doctrine, the case of Sir Joseph Jekyll, who was chosen on the committee of secrecy, in 1715, before he took the oaths at the table of the house. He concluded by calling on this committee to look at the history of all these acts, and he was of opinion that they would decide with him, and declare the return of Mr. O'Connell as one who could not sit and vote in the house to be null and void.

Mr. F. Pollock, for Mr. O'Connell, said that he would not follow either the course of argument pursued by his friend Mr. Harrison, the day before, nor would he make any allusion to the first two hours of Mr. Adam's speech. It was unquestionable, that before the Union between Great Britain and Ireland any Catholic refusing to take the oaths would be undoubtedly excluded from sitting or voting in Parliament. Agreeing in all that Mr. Adam stated up to that

period, he denied his conclusion; and with respect to the Act of Union, and the subsequent Act, he would not trouble the committee, because the question must be decided elsewhere The general question of emancipation had nothing to do with this particular subject, which must be considered as a mere point of law. He had nothing of overweening confidence in his own opinion, nor would he enter into those differences or mistakes which might have been befallen into by some gentlemen who wrote pamphlets. He, however, doubted whether what Mr. Harrison stated was any thing more than a re-publication of what had been published by a learned member of the House of Commons. But it had very little to do with the question then before the committee. The first point, he asserted, was, that up to the Union of Great Britain and Ireland, any person was entitled to be elected without any disqualification affecting a Roman Catholic as such; for that, although the oaths and declarations were necessary to entitle a person to sit and vote, yet until that period had arrived, and he failed in doing so, he was completely a member of the House to all intents and purposes, and his election was good and valid; that he proved by reference to the first statute quoted, which directed that members theretofore elected should take the oaths before the Lord Steward, and should not otherwise be deemed knights of the shire. The language of the 30th Chs. II. was equally clear in recognizing the validity of the election, but left it on the conscience of the member whether he would take the oath in the time and manner specified. Peers and members of Parliament were on the same footing. The Act of Wm. and Mary, was the only one that applied to Ireland, and that said that no Peer could sit and vote or give his proxy without taking the oaths, nor any member of the House of Commons could sit or vote without taking the oaths thereinafter mentioned. That statute thus recognized him to be a member, and only enacted that he could not sit and vote, until he had taken the oaths, &c. It went on to say, that such Peer or member of Parliament should be disabled from thenceforth; wherefore

the distinction was plain. The committee were only to decide upon what was enacted, but they could not decide, that if an individual were once a Catholic, he should be incapable of being at any subsequent period elected. It was urged at the other side that there was a test, and yet they would not abide by it, nor by the care and the provisions of Parliament, but would call on the committee to declare that there was no necessity for that test. Those enactments were devised because the Legislature found it impossible to dive into the consciences of men, and perhaps with a view that by being allowed to be elected, persons might be induced to take these oaths. Peers were entitled to their seats on merely taking the oaths; but still the King could create Catholic peers. He would then leave that part of the question, satisfied that the validity of elections was recognized by every statute up to the Union. The second point he contended for was that the Act of Union left the question precisely where it found it. This part of the subject the learned gentleman illustrated by a number of quotations from the Scotch and Irish Acts of Union, and continued to say that if the Act of Union provided that all members must take the oaths before they voted, that alone must settle the question, and that Mr. O'Connell was not subject to any disqualification that was not shared by others in the kingdom—namely, the not taking the oaths. The learned gentleman proceeded to say, that he merely assumed that it was necessary to take the oaths for the purpose of the committee entering his protest, that that part of the question must be decided before the House of Commons. The question for the committee was, not whether there was evidence of Mr. O'Connell's being a Catholic, or of his final perseverance in the Catholic faith, for they could not know what he might do, when he went to demand his seat in the House. The term disability could not refer to Mr. O'Connell; he was under none, for there was no diving into a man's conscience, and no one could say whether he might or might not take these oaths, although it was contended that Mr.

O'Connell was at this moment disabled, because, by and by, he might not choose to take the oaths that were required. Blackstone had been referred to; but that eminent constitutional lawyer, amongst the disabilities he enumerated, never mentioned the fact of Catholics being disqualified from being elected. [Here Mr. Adam put into the hands of Mr. Pollock Mr. Coleridge's edition of Blackstone, which in a note enumerated Papists, Peers, and outlaws, as having been omitted in Blackstone's catalogue of disqualified persons.] Mr. Pollock commented shortly upon this note, and asked what necessity existed to enumerate peers amongst disqualified persons, when even judges who were commoners were included in the list on account of their attendance on the Lord's House. He proceeded to say that he was not there to deny Mr. O'Connell's being a Catholic, but merely to watch the evidence given. There was, however no Act of Parliament which fixed the indelibility of the Catholic faith upon a man, like holy orders; and the history of the country shewed, from the many changes of religion which had taken place, that the legislature intended to give the very last moment for the taking of those oaths. What was there to prevent Mr. O'Connell from taking those oaths, although his learned friends at the other side would argue, that although he did so, he could not yet be a member of Parliament? The committee must, to decide in favour of the petitioners, adopt two propositions—first, that Mr. O'Connell will not take the oaths; and, secondly, that when he presents himself for the purpose of doing so, he will not be permitted. That discussion could only arise when Mr. O'Connell presented himself to the House, and then a great question would have to be decided. He trusted that Mr. O'Connell was returned to try a great right, and that the committee would give him an opportunity of doing so, and that they would not come to a decision contrary to the usage of all tribunals, by anticipating what any individual might do at a future period. The learned gentleman ceased speaking at half-past three o'clock.

The chairman of the committee (Lord William Russell)

then asked whether the case was closed on both sides, and having been answered in the affirmative, strangers were ordered to withdraw, when the committee, after a few minutes' deliberation, adjourned until the next day.

On the meeting of Parliament on the following day, Lord John Russell, as the organ of the Commttee, appointed to take into consideration the petition of Daniel O'Connell, Esq. reported to the House, that Daniel O'Connell, Esq. was duly returned, and that the opposition of Thomas Mahon was was neither frivolous nor vexatious.

The public excitement was now at the highest pitch as to the result of Mr. O'Connell claiming to sit in the House, without being obliged to take the usual oaths, which as a Catholic, he could not conscientiously do. The public had been for some time much disappointed by the erroneous statements of the days on which Mr. O'Connell intended to claim his seat, as member for Clare; but it was definitively fixed, that May the 15th was to be the important day; and at about three o'clock, Whitehall and Parliament-street were crowded by the higher classes, and the doors of the House of Commons were surrounded by respectable persons; whilst many public characters, and ladies of distinction, in their carriages, were present in Old Palace-yard, to witness the scene. At an early hour the gallery of the House was filled to excess; and never on any occasion were the benches fuller in the body of the House, in the side galleries, and below the bar. Most of the members were engaged in animated discussions, in small groups, or individually; when at a quarter to four, the Speaker's approach was announced, and all was silent—the whole body of the House rising, as is usual, to receive him with respect. The effect was very imposing, and must have been felt by the oldest members. Order having been called, the following proceedings commenced:—

The Speaker:—The member to be sworn will be pleased to come to the table and take the oaths.—[Great excitement throughout the House].

Mr. O'Connell now entered, bowing respectfully to the

Chair, and was conducted to the table by Lords Ebrington and Duncannon. Mr. Ley, Clerk of the House, advanced to him in the usual manner, and tendered to him the oaths, which are printed on each side of a pasteboard, about the size of the cover of a small folio volume. Some discussion took place between the two gentlemen, during which the oaths were frequently turned over, and passages pointed out by Mr. O'Connell to Mr. Ley, who presently took them to the Speaker, to whom he seemed to communicate what had passed between him and Mr. O'Connell, pointing out the parts of the oaths to which Mr. O'Connell had objected.

The Speaker then rose and spoke as follows:—" It is my duty to state to this Honourable House, that, if I be correctly informed, the course which the Hon. Gentleman at the table has proposed to take is a course entirely over-ruled by respectable and competent authority, and therefore I do not conceive it to be my duty to acquiesce in it. I understand the Hon. Gentleman to propose to take the oaths directed to be imposed on persons professing the Catholic religion, and entering this House by the authority of the Act of Parliament recently passed. As I read this Act, my impression is, and upon this impression I think it my duty to act till otherwise informed, that there are but two points in the course to be pursued in the taking of seats by members of this House. The first relates to the repeal of the declaration against transubstantiation. The other is the part of the Act appointing the oaths to be taken by each member of the House professing the Roman Catholic creed, in lieu of the oaths of Allegiance, Supremacy, and Abjuration. This substituted oath, as I imagine, is only to be taken by such members as shall be returned to sit in this House subsequently to the commencement of the Act. The Hon. Gentleman's return as a member to sit in this House for the county of Clare is in consequence of an election which took place long before the commencement of this Act, and I have therefore only to revert to the law as affecting all members of the House before the present Act took effect. With the one exception of the repeal of the

declaration against transubstantiation I have to state that the construction of this House, and the uniform principle of the law of the land, as repeatedly sanctioned and confirmed by Acts of Parliament, have been, that every member, before he takes his seat, must take the oaths of Allegiance and Supremacy before the Lord Steward, or his Commissioners; and the oaths of Allegiance, Supremacy, and Abjuration, at the table of this House. With this understanding of the law, in obedience to the law, and in order to maintain the dignity and privileges of this House, I feel it my duty at once to state that the Hon. Gentleman must immediately withdraw.—[A great sensation was manifested throughout the House at this passage].—It is well known that an appeal from any opinion is open to the decision of this House, either upon petition of the parties interested, or upon other proceedings to be taken by its members; and if either course be pursued, the House will then be better able to judge, not only of the correctness or incorrectness of the conclusions to which I have arrived, but of the propriety of the conduct which I have thought it my duty to pursue. It is, therefore, only left to me to state to the Hon. Gentleman, that he must withdraw.

Mr. O'Connell then bowed to the Chair and to the House, and respectfully withdrew.

Mr. Brougham rose, but for a few minutes was inaudible. We understood him to say: With the greatest possible submission to the Chair, I will agree that the Honourable Member standing at the Table, has not, according to the strict usage of the House, a right to be heard. I must say [here the tumult and confusion in the House became so great that the Honourable Member was inaudible, and after repeated cries of "Order!" and "Bar, Bar!" the Honourable Member resumed.] I beg, with all due deference to this House, to state that I have uniformly succeeded in my efforts to make myself heard, and I shall succeed all the better if Honourable Members will only take their seats, and favour me with silence. When there is so very great a noise, the House must be well aware that it is very difficult for any Member to be heard. The doubt

which most presents itself to my mind, and which occasions my addressing the Chair, is, whether a Member coming to the Table to be sworn can be prevented stating his reasons why he will not take the oaths prescribed, and why he ought to be admitted to take his seat without taking them. For anything I can see, there is no objection to his being heard; and it is doubtful if any instance can be found of a Member being refused this privilege, whilst there are precedents of their being allowed to enjoy it. Until this question be disposed of, it is useless to speak of the other questions which arise out of the case. But now, Sir, that the Hon. Member has withdrawn, according to your direction, I submit that, according to custom, and to reason, the construction which you have put upon the Act, and the opinion to which you have come on the situation in which the Honourable Gentleman stands, ought to be so far subject to discussion as to allow the House to exercise their opinions on the subject, and at all events, to the extent whether the Hon. Gentleman ought to be heard at the table or at the bar of the House. I repeat, without departing from the profound respect I owe to the Chair, or from the disposition I entertain, and have always entertained, to bow to the authority of the House, that the Honourable Gentleman has a right to be heard; but I am ready to acknowledge that it is a question of great importance. I hope the House will decide the question. You, Sir, will be the first whose opinions ought to be taken on a question of such moment; and I have to repeat, that that question at the present moment relates more to the right of the Member for Clare to be heard himself in that place, at the table; because, according to your construction, he is entitled to take no other place. He ought, I say, to be heard at the table on his right to take his seat. There are two or three precedents upon this point, to which I must beg shortly to direct your attention and the attention of the House. They bear out the proposition which I submit to the House for their consideration, for I am anxious to decide this preliminary point. The cases to which I first allude are those of Monson, on the 13th of May, 1689, and of Robert Fanshaw

on the same day; these persons appeared at the table of the House, a little discussion taking place before Monson was called in. The result of the conversation was, that the Speaker communicated to him that he called him to the table by the authority and direction of the House. When he was called in, and had proceeded to the table, the Speaker then told him that he was desired by the House to ask him whether he had any objection to take the oaths prescribed to Members before they could exercise their functions or enjoy their privileges as Members. To this Monson replied, that he did object to take them, and he was then allowed to state the grounds of his objection. He argued that the words were, in his opinion, personal to himself, and upon this ground alone he objected to them, and that his repugnance to the oath did not arise from any thing which could tend to disturb the Government then established. He appears not to have been interrupted, and it is evident that he spoke a few sentences in explanation of his reasons for refusing to take the oaths which had been tendered to him, and which were the same that had been tendered and had been taken by all the other Members without distinction. The House was not satisfied with his reasons, and he was accordingly ordered to withdraw. Upon the further consideration of the question, a new writ was moved for, and the motion was acquiesced in. But what I call the attention of the House to for the present is what took place before the question arose for the issue of a new writ, and before he was ordered to withdraw—namely, his being heard at the Table of the House, not only in his mere refusal to take the oaths, but in his statement of the reasons why he refused. The next precedent to which I allude is that of Mr. Archdale. That Gentleman was allowed to explain at the Table of the House the reasons which induced him to refuse to take the oaths prescribed to be taken, and tendered to him by the Officer of the House at the Table. Mr. Archdale explained his reasons in a similar manner to Mr. Monson; and he at all events proceeded so far as to state that his scruples were conscientious—that he could not in conscience take those oaths, for reasons which he ex-

plained; and having stated those reasons, he withdrew by the direction of the Speaker, and a new writ was issued. In the case of Lord Trencham, a similar course was pursued.—Whether the speeches, on these occasions, were of greater or less length, is perfectly immaterial to the present case—they are in point with the position I maintain; for it is certain that the parties in each instance, were heard previously to their being ordered to withdraw. The question being specific, and not of degree, the precedent is in point upon the fact of the parties being heard, and is irrelevant to the length of their speeches at the Table. I could not raise these objections, from the disorder prevalent in the House during the time that the Chair was telling the Hon. Member to withdraw. As the Hon. Member was not heard before he withdrew, he might be recalled; and after being heard, the House might use their opinions, and entertain their question whether he should be allowed to take his seat or not. I have stated the impression on my mind, as to these precedents, and the reasons of the case as regards the great hardship inflicted on the parties. I mean the hardship, that every civil right of the subject should be taken from him—that it should be interfered with, interrupted, and at least for a time, suppressed, without his being so much as heard in explanation. I will leave the question to the House, rather than state any confident opinion of my own, though I have no doubt in my mind as to the reason and policy of the course to be pursued. In order to call the attention of the House to the subject in the most regular shape, I will move that the Hon. Member for the county of Clare be heard at the table of the House, respecting his not taking the oaths prescribed.

Mr. Secretary Peel: It is scarcely necessary for me to remind the House, that, in the present case, we are called upon to act in a strictly judicial capacity. This question, whatever course may be pursued, whatever sentiments may be entertained, must at last be determined by the construction which ought to be placed upon the uniform practice of the House, and

upon the letter of the Statute. Upon the reason of the thing I will not debate with the Learned and Honourable Gentleman opposite, but I am as satisfied and as firm in my opinions as he is, and my conviction is that the Hon. Member for the county of Clare is not in possession of any right of being heard at the Bar of this House? If he is in possession of any such right, every person returned to sit in this House, and who may have scruples as to taking their usual oaths, would have equal right to state his objections, to explain his motives, and to argue the question. The law appears to me to admit of no doubt. It is declaratory, and has always been considered so. It declares, simply and intelligibly, that before any person shall be allowed to take his seat as a Member of this House he shall be required to take certain oaths which are prescribed by law, and established to be taken in a prescribed manner. Until he have complied with this law, he cannot possibly be allowed to take his seat; and before he has taken his seat, how can he be entitled to exercise any one of the functions of the Members of Parliament, or be heard in this House? The Hon. and Learned Member has argued the case, however, not upon the rights of the Member for Clare, but has contented himself with merely asserting his conviction of that right. The Honourable and Learned Gentleman has chosen rather to argue the case strictly upon precedent, and with reference to precedent. There being no notice of the intention of the Learned Gentleman to rest it upon this ground, or to agitate so important a question, I should hope, if he really do entertain any serious doubts upon the subject, that he will not expect the House to pronounce a decision in the course of the day. I must avow that my conclusions differ entirely from those of the Honourable and Learned Gentleman. Taking the oaths was declared to be an essential, indispensible preliminary to taking the seat; and no man can have a right to act as a Member of Parliament and be heard in this House until he has taken his seat. The other points arising upon the question it is useless to discuss till the House has disposed of

the preliminary right of the Member to enter the House and to take his seat. We shall best consult our opinions, as well as the justice of the case, if we postpone the decision of this question till another day. I would say Monday next, or some other day; by which time the House will have had opportunity of duly examining into so important a subject, and can then entertain it without any difficulty.

Mr. C. W. W. Wynn: I entirely agree with the Right Hon. Gentleman, that it will be premature for us to enter into the discussion whether a Member of this House, professing the Roman Catholic religion and having been returned prior to passing the recent Bill, may take his seat without taking the oaths which were prescribed to Members before the alteration of the law. But there is one point of considerable doubt, and I think it right that a day, an early day, be fixed upon for discussing it. The question is, whether a Member, situated as the Gentleman returned to represent the County of Clare, can or cannot be heard at the Table of the House relative to his refusal to take the oaths prescribed by law. I must say that precedents are in favour of its being allowed to Members to state the grounds why they do not appear to take the necessary oaths. The precedents are entirely in favour of this right. I entirely agree with the Right Hon. Gentleman that it is not fit that a Member, who has not taken his oaths, should be allowed to speak or proceed in his seat to exercise his duties as a Member of this House; but the present has more of the nature of a personal claim. I apprehend that the case involves three points, clearly distinguished from each other: First, whether the Member for the County of Clare has a right to be heard at the Table; or secondly, at the Bar of the House; and the third point is, whether a Member, not having taken his seat, can be heard at all. I will quote upon the subject the well-known precedent of Mr. Wilkes. He had been returned a Member to this House, but the majority of the House had determined that he was incapable of being heard on the subject of his return. Mr. Wilkes presented a Petition upon a breach of privilege. He

was brought to the Bar to be heard upon his Petition, and the House admitted him to express his doubt whether he should not incur the penalties of the different acts against persons who should be present in the House during its proceedings. He was ordered to withdraw; and the House, after duly discussing the question, came to this determination:—They directed that the Speaker should acquaint Mr. Wilkes, that it was customary for the House to hear persons at the Bar, in order that they might support the allegations of their Petitions, and his so supporting his Petition, without his having taken the oaths of his qualification, was not any offence within the intent and meaning of the Act of Parliament to which he alluded. It is certainly an undisputed principle that every man shall be heard in his own cause, and that he shall not be exposed to the possibility of being injured by any decision, if he have not had the opportunity of defending himself. Nothing can be more consonant to justice, and it is impossible to dispute the principle or to depart from the practice. There could be no doubt of the necessity of a Member withdrawing, even if he had taken his seat, as soon as he had been heard on a case personally affecting himself; and if he had not taken his seat, the obligation to withdraw of course became the stronger. Our better course would have been to have allowed the Member for Clare, upon his application to state the reasons why he conceived himself entitled to take his seat without taking the oaths at the table of the House, and he might then have been heard at the bar or at the table, according to the option of the House; if at the bar it would have been no more than the privilege or opportunity afforded to other persons not members, who claimed any right of the House. This appears to me to be the course which the House could have pursued with convenience to itself and with justice to the other party. Had the Hon. Member for Clare been allowed to state the nature of his scruples at taking the oaths, he might have been heard at the Table. This would have satisfied all parties, and it would have been the fairest way of satisfying the justice of the case. This, however, is only the question how the

thing ought to be done—a mere question of form; and few persons, I imagine, doubt that it ought to be done in some form or other. If the Honourable Member for Clare wish to be allowed to state to the House the grounds why he ought to be allowed to take his seat at once, without taking the oaths, there can be no question. I apprehend that he ought to be permitted to do so in one shape or other; nor ought any obstruction or delay to be presented or interposed; for a right unnecessarily obstructed or suspended is a wrong, and often of a serious nature. Without our knowing, or being supposed to know, the printed case set forth and published by the Honourable Member for Clare—without any such document in our hands—no man can doubt that the House is bound to hear the Honourable Member state his reasons; and the only question, therefore, resolves itself into a question of time, place, and form. Whether the Member for Clare be allowed to state his case at the Table of the House, or at the Bar, upon all precedent and upon all principle, he, as well as every other person seeking a supposed right, should have every facility afforded him of stating his claims and of supporting them.

Mr. Sugden would not deny that persons had a right to be heard, and that it was very desirable they should be heard in support of their claims. At the same time, the acknowledgment of this principle should not prevent his suggesting to the House, that their consent to hear the Honourable Member for Clare at the Table would imply a notion that the fifth of Elizabeth was repealed, which, nevertheless, was still in operation. If this act of Parliament was in force, and which he conceived it to be, it provided, that if any Member were to enter the House without taking the Oaths of Supremacy before the Lord Steward, *ipso facto*, he was incapable of serving or sitting in the House during that Parliament. Under these circumstances, he did not see the possibility of the House hearing the Member for Clare at the Bar.

Mr. Brougham: How do we know what is going on out of doors?—(Mr. Sugden—interrupting the Hon. Gentleman—Let one member speak at a time.) What has passed in the

Steward's house or office we know nothing about; but I have a certificate in my hands of the Hon. Member for Clare's having taken his oaths. But I say I have a certificate from two Commissioners, duly authorised by the Lord High Steward to take the oaths required to be taken before him by Members of this House. As to when the oaths were taken, my Hon. and Learned Friend must be aware that no place is prescribed where such oaths are to be received. I have the certificate of the oaths having been taken. But we know nothing of the act entered into, otherwise than by the certificate. We know that the Honourable Member came to the Table to tender himself, and that he refused to take certain oaths. This we know, but of what occurred before the Lord Steward, or his commissioners, we know nothing. The question arose whether, as the Honourable Member for Clare had offered to take certain oaths, ought he not to be allowed to take them? and then might arise the question as to the other oaths which he would or would not take.

Mr. Secretary Peel: Surely the Honourable and Learned Gentleman must see that there is a very material distinction between allowing a Member to be heard at the Table, and at the Bar. I cannot help thinking that there is a material distinction, and I moreover think the whole of the subject of such great importance, that the House ought not to come to any decision without an opportunity of careful investigation and inquiry. The Honourable and Learned Gentleman having made the Motion he has done, I cannot but move the postponement of it till Monday next.

Mr. Sugden explained: It was evident that the Honourable Member for Clare had not taken the oaths before the Lord Steward; for he had made no objection to take any oaths except that prescribed to be taken before that officer. It was the material duty of the Honourable and Learned Member opposite to know, that the oaths he refused to take were those particular oaths to which he (Mr. Sugden) had alluded. The Hon. and Learned Member might therefore have spared himself the trouble of his reply.

Mr Brougham: I think I had better not spare myself the trouble of calling on the House to proceed in this delicate and important act—upon things known to us, and not upon conjectures drawn by the Honourable Member (Mr. Sugden) from a publication which might or might not give rise to his conclusion; for how can we know that the Member for Clare has not taken the oaths since his publishing the pamphlet alluded to? The Honourable Member had gone and taken certain oaths—the House could not advance whether he had taken this oath or that. He was quite ready to agree that this part of the case was likely to recall circumstances of great importance—of such importance as to require very grave and serious consideration. Whether the Honourable Member were heard at the Table or at the Bar was a matter of less moment, although certainly it was a point of some consequence. Either at the Bar or at the Table of the House, hear the Hon. Member for Clare, we must. Supposing he were not a Member—a mere stranger, petitioning the House. As a Petitioner he has a right to be heard—not a right whether he will or not; but we have a right to hear him, and a man may be heard either by himself personally, or by his Counsel or agent, at his own option, if the House will consent to hear him at all. There can be no doubt of this, I conceive, in the mind of any Member. This is clearly a case in which we should rather hear the applicant himself; and as the House seems agreed upon this, and the only difficulty or question is, whether he shall be heard at the Bar or at the Table, if the Right Hon. Gentleman opposite (Mr. Peel) thinks this of sufficient importance, I certainly can only say that I have no great objection to postpone the subject to Monday next, the day the Right Hon. Gentleman has been pleased to name.

Sir Francis Burdett said a few words upon the subject of the oaths that had or had not been taken by the Member for Clare; but the Honourable Baronet was so indistinctly heard, that we cannot venture to report what fell from him.

The Speaker: Before I finally put this question, perhaps the House will not think me unreasonable, in not anticipating

any judgment with reference to the course I have pursued, but if I put them in possession of the course I intend to pursue. The House on all sides have agreed that the question divides itself into the construction of the law, and secondly, into that of hearing the Honourable Member who will be affected by the decision of the House. The mode of hearing him is another consideration to be duly weighed. That these are matters of great importance, requiring grave deliberation, is evident; and the best proof of this is the uniformity of feeling throughout the House in favour of postponing that deliberation. All I wish is to draw the attention of the House to this point, that although it is impossible for me to differ from the opinion of the House when I am able to wait for their deliberation; and although deliberation cannot be allowed to a Speaker in the Chair, yet my course has been to take that line which I conceive the laws of the country to point out, having the consolation to know that if I erred, the House, in its wisdom and caution, would set me right, without any prejudice to the claims of any one of the parties whom my errors might possibly injure. This latter conviction, though it could not predispose to incaution or confidence, was a great source of consolation to me in pronouncing my judgment. With respect to hearing the individual at the table, I know not the precedent on which any person has been heard, without the decision of the House that he should be heard under any circumstances, short of that of his being a complete Member of the House; and it was obvious that a doubt arose whether a person otherwise situated, and addressing the House from the table, would not subject himself, not as an Honourable Member (Mr. Sugden) supposes, to the fifth of Queen Elizabeth, but to the Act of Charles the Second. There were the grounds upon which I acted, and I have acted without prejudice to the case itself; but I do wish to be understood on what grounds I have judged it my duty to proceed upon one subject, namely, the oaths directed to be taken by the Members of this House before the Lord Steward, or before his Commissioners. All who hear me, or who are at all acquainted with the subject,

must be well aware that neither the Lord Steward nor his Commissioners are officers of this House. The certificate received from them that the oaths have been taken by the Members of this House, in the manner and to the effect required by law, is all that is received by the House, and it is therefore impossible for the House to know in its aggregate character whether the proper oaths have been taken or not, or whether, the law has been strictly complied with. I have thought it my duty to make this statement to the House, and it is now for them to determine upon what course they shall think fit to pursue.

Mr. Tierney rose, and a little tumult or confusion which had arisen in the short interval immediately subsided into the most profound silence.—Mr. Speaker: If the question be, as all seem disposed to understand it, whether the Honourable Member for Clare ought to be heard at the Bar, or at the Table of this House; of this I feel convinced, that if we do not decide it at once, we shall do a great hardship to the individual, and to all whose interests are involved, and our delay will be very little creditable to ourselves. The impression will be, that the House has not been able to acquire information how the case is to be met. If the motion of my Learned Friend (Mr. Brougham) is to be adopted, the Member for Clare may be allowed, at the Table of the House, to state the grounds on which he hesitates to take the oaths proposed to him by the Clerk. Sometimes, nothing can be more fit than an adjournment; but to adjourn without knowing what the argument is, is what I cannot comprehend. The sooner the question is disposed of the better; and I see no reason whatever why we may not decide at this moment, whether or not he ought to be heard at the table of the House. What is the difficulty?—Upon this question we ought to be prepared to come to an immediate decision. There were precedents of something being stated by persons hesitating to take the oaths at the table. The three precedents were short, and the Member for Clare might possibly assign a short reason for his hesi-

tation. After a Member had been duly elected, and came to the bar in a regular way, the House in its own wisdom ought to be able to determine whether he could take his seat. To declare we don't know what to say, or what to do, in such a case, does not appear to me to be very creditable to our wisdom. We should at least be able to give a scheme of what our objections are. At present there appears no difficulty, and the House is at least bound to make out its justification for not being able to decide such a question, without a postponement and time for study and comtemplation. We are to adjourn under these circumstances: A Member comes to us duly elected, and tenders himself to sit amongst us; what do we say?—simply that we don't know what to do; come to us on Monday, and then perhaps we shall know what to do—at least the Ministry will know what to do, and that is the same thing. The question ought, in my opinion, to be decided, not only with reference to the Hon. Member for Clare, but with respect to the dignity of the House, our character, and our right of proceeding in such cases independently. I have not the smallest disposition to interpose unnecessary objections, for the question is really important; but in my opinion the House has all the necessary information before it, and we ought to come to an immediate determination.

Mr. Peel: I can attribute no blame to any one for delay nor does it in my opinion reflect disgrace or ridicule upon the House to postpone the question. Neither upon this side nor upon the opposite side of the Chair is it denied that the question is important; and I can say that it is the general, nay, the uniform practice of the House, in discussing matters of much less importance, to give the Members adequate means and opportunities of coming prepared to the discussion, and of forming sound decisions. When a question of this description was to be brought on, due notice ought to have been given to Members in order that they might be prepared to discuss the subject—a subject which, in the present case, deeply affects the privileges and usages of this House. Surely, Sir, it cannot

be deemed by any man unreasonable, to ask the short notice of only two days before we determine so important a question —a question involving the deepest privileges of Parliament— a question, whether a Member, returned to this House, may walk up to the Table and object to take the oaths, and then claim the privilege of being heard in defence of his violating the laws of the House, either on the floor, at the Table, or, if, we refuse him that, at the Bar. But, Sir, having heard the thoughts of the Members generally upon the subject, I can only say, that the great discrepancy of opinion is, to my mind, an additional reason, and, I may say, a very strong reason, why we ought to adjourn the discussion. If this reasoning be at all well-founded, what objection can there be to adjourn for the short period of two days? What injury, I ask, can this adjournment do to any of the parties interested? and as to the House, if there is to be an adjournment, it must be acknowledged, that the period proposed is of very short duration. The Motion is, that the Honourable Member for the County of Clare be heard at the Table in explanation of his refusal to take the oaths prescribed to all persons in his situation. Now when this question is discussed on Monday, or on whatever other day the House may appoint, it is evident that it is perfectly competent for any Member to propose the day he shall be heard;—whether the next day, or what day—if the question shall be resolved in the affirmative. I must confess, that I consider the result of the present discussion has been quite sufficient to prove to my mind that you, Sir (the Speaker), are not aware of any instance of a Member, not taking his seat, being heard at the table, without the previous resolution of the House to that effect. This, Sir, is alone an amply sufficient warrant for my opinion that the question ought to be postponed, and if a postponement be proper, I need not say that Monday determines it to the shortest period. Let the question be postponed, and it is evident that in the mean time no person stands pledged to any opinion. We shall come to the question equally unpledged, and with much better information.

Mr. Maurice Fitzgerald argued that nobody had objected to the postponement of the question before the House, but that was not what the Right Hon. Gent. opposite (Mr. Peel) had to entertain. The Right Hon. Gentleman had proposed the postponement of the decision, but this postponement of the decision was no reason for the House not hearing why the Member for Clare had objected to take the oath. I beg the House to consider the dilemma in which they stand. A person duly elected approaches the Table of the House, and objects to take the oath which all other Members take, and without taking which they cannot take their seats. The exercise of a supposed right is suspended, and the person is injured if he is not allowed to state the grounds on which he refuses to take the oaths. He conceived that the rights of individuals would be promoted by allowing the Honourable Member for Clare to state what was the nature of his objections.—Whether he was heard at the Bar or at the Table, he conceived to be of little consequence. He had heard no reason for the postponement for one moment of the question; and unless the House were in possession of the Honourable Member's objections, he would not vote for that postponement. Possessed of the case, there might be a reason for postponement—it gave time for judgment; but he could not consent to a postponement of a case, when the House were not in possession of the data of that case. By such a proceeding the House would not only injure the Member claiming his seat, but they equally injured all his constituents. What would be the situation of the House after the postponement? They would have to begin at the same point at which they had begun.

Mr. Peel said, in reply to the observation, that the Member for Clare ought to be heard, the law determined the conditions alone on which he could be heard.

Sir F. Burdett said that the important question was, whether the Member for Clare should be heard at the Bar or at the Table of the House. It appeared to him that the House might be ripe for the decision, but not for the discussion, of the question.

Mr. Peel begged to be understood that he did not pledge any opinion upon the subject as to its ultimate determination.

Lord Milton did not understand the Right Hon. Secretary to have any doubt whether the Member for Clare had any right to be heard on the question. All he understood the Right Hon, Gentleman to doubt was, whether he ought to be heard at the Bar or at the Table of the House. Then he must confess that he did not understand the Right Hon. Gentleman. He had understood the Right Honourable Gentleman to put the question as resting upon the point, whether the Member for Clare should be heard at the Table or at the Bar. He did not hear the other alternative, of whether he should be heard at all. It was important that no doubt should exist upon the question.

Mr. Peel could not determine as to any ulterior course, till the Member for Clare had been heard, either at the bar or at the table of the House.

Sir Joseph Yorke said, that the question must be determined upon the authority of greater names than his; but if the case were accurately investigated, it would be found that Mr. Fanshaw had been sent for by the Speaker, and asked whether he would take the oaths at the table. He had decided in the negative, and he had been required to state his reasons for refusing to take them.

Mr. Brougham had no hesitation in saying that he had not formed a confident opinion upon all points in the cases of Fanshaw and Monson. He knew that the latter had been a member of the Convention Parliament, which was an illegal assembly, till its acts were legalized by the subsequent Parliament, constitutionally convened. The cases of these two might differ from that of Archdale, the Quaker. Fanshaw and Monson's cases were in point with the present—possibly that of Archdale might be different. He had no objection to accede to the Right Hon. Gentleman's Motion of Postponement, but he had no idea that any man could entertain the notion that the Hon. Member for Clare was not to be heard at all, though he felt that a great difference of opinion existed

as to the propriety of hearing him at the Bar, or at the Table of the House. The idea of not hearing the Hon. Member for Clare at all, appeared to him quite impossible.

Lord Duncannon said that he was instructed by his Hon. Friend, the Member for Clare, to state that he claimed the privilege of being heard before the House in support of his claims.

The Speaker then put the question of adjournment to Monday next, which was carried *nem. con.*

On the following day, May 18, after some preliminary business, Mr. Brougham intimated that he thought the time was come when the Hon. Member who had moved the adjournment of the question as to Mr. O'Connell's admission, should continue the debate.

Mr. Sugden wished to ask the Hon. Gentleman opposite (Mr. Hume), or the Hon. Baronet, the member for Westminster, what oaths Mr. O'Connell had already taken.

Mr. Hume observed, that perhaps the Hon. Member might derive the information he required by obtaining the certificate from the Clerk.

Mr. Sugden said, the Hon. Member must be aware that the certificate would afford him no such information. The certificate only stated, that Daniel O'Connell had declared his name; and contained an indorsement, stating that he had taken "the oaths," but what oaths it was not stated. The oaths, however, were mentioned in the plural number, though he knew that Mr. O'Connell had taken but one oath.

Mr. Hume could only say in answer, that the Hon. Member had taken two oaths.

The Speaker then read the original question, "That Mr. O'Connell be heard at the table of the House, with respect to taking the oaths prescribed."

Mr. Sugden said he must address a few observations to the House on this subject, and trusted he should to do so without being thought pertinacious. He was quite ready to do whatever the House might think fit, but he wished to have the question he put answered, and would persevere in that question, unless it was the opinion of the House that it ought not

to be answered. He might be mistaken; but he did think that the question was one that required a specific answer. In his opinion it was material for the House to know what oaths Mr. O'Connell had taken. He (Mr. Sugden) had been at great pains to inform himself upon the subject, but had been unable to do so to his own satisfaction; and when with all courtesy he put a question to the Hon. Member opposite, he did apprehend that Honourable Member ought to have given him the required information.

Mr. C. Wynn wished the House to recollect that no Honourable Member could insist upon an answer from any other Honourable Member, or could compel him to give any information of which he might be possessed. There was but one way of enforcing a question and that was by motion; but no Member could compel another Member to answer a question which he wished to decline replying to.

An Hon. Member remarked, that if his ears had not been mistaken, the Honourable Baronet, the Member for Westminster, had stated that Mr. O'Connell had taken a new oath.

Mr. Peel: I think it impossible that I can be said to act inconsistently in rising at this moment to state my view of this subject, which is somewhat different from that I was inclined to adopt a few days since. I believe, indeed, that by stating that view at the present moment, it may tend to save some of the time of the House. This debate, which has been adjourned from Friday, is a debate on the claim of an Honourable Member of this House to take his seat, on having administered to him the Oath of Supremacy. You, Sir, in my opinion, most properly, in execution of the duty which is committed to you, to enforce the provisions of the law, and uphold the usages of Parliament, according to your construction of them, hesitated to admit that Honourable Member on his taking the present Oath of Supremacy, and required him to take those other oaths which were required to be taken by Members before the present Session. I call the present oath the Oath of Supremacy, for such it is in effect, though differently framed from that which preceded it. You refused, Sir, to admit him

to take his seat on taking the oath prescribed by the new Act, and you required him to take the former Oath of Supremacy That Honourable Member objected to take that former Oath of Supremacy, and preferred his claim to a seat in this House under the privileges conferred by the Act passed in the present Session for the relief of his Majesty's Roman Catholic subjects. The questions for our immediate consideration are, whether or no the Honourable Member for Clare shall be heard at all on this claim; and, if heard, whether he shall be heard at the Table or at the Bar of the House. With those questions I shall in no manner whatever mix up any other. I shall avoid expressing any opinion as to the legality of the claim, but I shall wait till the discussion of that claim has been gone into. I shall do so, because, at the present moment, I think it as well to confine myself to the simple points, whether the Honourable Member shall be heard at all; and, if heard, whether he shall be heard at the Table or at the Bar. Having given the best consideration I could, in the interval which has elapsed since this debate was adjourned, I have come to the conclusion that it would be fitting to hear the Honourable Member for Clare. I think so, because the case is a special case, and one which it is impossible can ever be drawn into a precedent. It is a claim founded on a question as to the construction of an Act of Parliament: and whatever our ultimate decision may be, it will be more satisfactory if we admit the object of that decision to state his case in the usual manner—in the manner which I shall hereafter point out. The question is not only a special and an individual question, and an exception from ordinary rules, but it is one which may not only relate to the privileges claimed by the Hon. Member, but may involve also his liability to penalties—it may be a question as to what are the proper oaths for him to take. If the Honourable Member is wrong in the oaths which he takes, he may be liable to penalties in Courts of Law. He may take oaths which, in his opinion, entitle him to take his seat, but which may turn out to be oaths that may render him liable to penalties in a Court of Law. On that ground, I say, that

there are special circumstances in this case which make me desirous of giving an individual so circumstanced all the advantages to which he can be fairly entitled, consistently with the practice of this House. As to the question whether he shall be heard at the Table or at the Bar, I must say, for myself, that I do not think it fit he should be heard at the Table. I think that there is nothing whatever in the precedents that have been quoted to fortify the claim of the Hon. Member to be heard at the Table, on the right which he urges to sit in in this House. I do not know whether it is necessary at this moment to enter into the consideration of these precedents, and I have not the slightest wish to do so unless the House desire it. I believe that the whole of the precedents are those furnished by the cases of Lord Fanshawe, Sir H. Monson, the Honourable Member for Newton, and Mr. Cholmondeley ; these were cases in the Convention Parliament—an assembly which was afterwards declared a Parliament; and the cases of Mr. Archdale and Mr. Wilkes, the last of whom, I believe, was brought up in custody to the Bar. In the cases of Lord Fanshawe, Sir H. Monson, and Mr. Cholmondeley, there were some peculiar circumstances. The question in these cases was, whether the Members of the Convention Parliament could sit in the New Parliament without taking any oaths whatever. They had not taken any oaths before the Lord Steward, nor had they taken them at the table of the House. It was impossible that they could take the Oath of Allegiance, for that was an oath of allegiance to King James ; and it was manifestly inconsistent with the circumstances of that time, that the Members of the Parliament then sitting should take an oath of allegiance to King James These Gentlemen had previously sat in the Convention Parliament, and they declined afterwards to take the oaths. They were found in that condition when the Act passed abrogating the ancient Oaths of Supremacy and Allegiance, and providing new oaths in their stead. That Act declared, that after the 1st of March all Members should take

new Oaths of Supremacy and Allegiance, in lieu of the former oaths. Four hundred Members did take those new oaths, on the first day after the Act came into operation; that is, on the 2nd of March. A call of the House was ordered, on a notice that several Members were not in the House, and at the call they attended. They were called up to the Bar, and required to take the Oaths of Supremacy and Allegiance, as prescribed by the Act of the 1st of William and Mary. These oaths were tendered to them at the table, and they declined to take them, declaring it impossible for them to take those oaths. I apprehend the Honourable Member for Clare has done the same. The Speaker having tendered the oaths to him, the Honourable Member for Clare has declined taking them, and he has been obliged to withdraw. But whatever is the peculiarity of these cases, on account of these persons having been Members of the Convention Parliament, they did in substance the same as the Honourable Member for Clare has done, in refusing to take the Oaths. They did not address any arguments to the House on their own right to sit, notwithstanding their having declined to take the Oaths; and they were not competent to do so, because they were incapable of being present during any discussion in this House, unless they had qualified themselves to sit here as Members. The case of Mr. Archdale was nearly the same. He was not a Member of the Convention Parliament. He had been previously elected, and had undertaken to serve under the impression that his declaration would be found tantamount in effect to his taking the Oaths. He was called to the Table, the Oaths were tendered to him; he declined to take them, and he was ordered to withdraw. The terms in which he signified his disinclination were not exactly the same as those employed by Lord Fanshawe and Sir H. Monson; but, in fact, the Oaths were tendered to all, and were declined by all, on conscientious or religious scruples; but none of them were permitted to address the House from the Table. Then, as to the case of Mr. Wilkes, which my Right Honourable Friend imagines

will establish the claim of Mr. O'Connell to be heard at the Table, the cases quoted on that occasion proved that if a Member had not qualified, he must be heard at the Bar, and not at the Table. Mr. Wilkes, I believe, was at that time in the custody of the Marshal of the King's Bench, and he was heard at the Bar; and before he was examined, and before anything had passed, he put a preliminary question, as to whether he should not subject himself to penalties, under the Act of Geo. II., although he had not sat or voted, as he had not then proved his qualification? He withdrew; and he was then told, that though he had not taken the oaths, and though he had not proved his qualification at the Table of the House, there was nothing to prevent him appearing at the Bar. I believe this was the substance of what occurred regarding Mr. Wilkes. Independently, however, of these precedents, the question may be fairly left to be tried by the dictates of common sense. Assuming the Oaths of Supremacy to be in force, which—according to the opinion of the official organ of this House, whose duty it is to interpret the law according to which our proceedings are to be governed—is the case; assuming, I say, under that opinion, that those oaths ought to be taken by the Honourable Member for Clare, it would be quite inconsistent with the law to permit him to be present at our discussions, by allowing him to come up to the Table. The law subjects an individual who has not taken the oaths to heavy penalties; and even if a doubt were entertained as to the propriety of admitting, the House ought not to sanction the possible infraction of the law. The rights of this House, and the customs to be observed in this case, have been determined by Parliament. It is the object of the House to hear whatever the Honourable Member has to say in vindication of his claims. That purpose will be answered by hearing him at the Bar, as well as by hearing him at the Table. By hearing him at the Bar he will be exempted from those penalties which I have mentioned; so that even with reference to his own security, it is infinitely better that he should be heard at the Bar than at the Table. For these reasons, which I have

shortly stated, under the circumstances of the case, which render it incapable of being drawn into a precedent, I think Mr. O'Connell ought to be heard. In cases affecting individual right, it is usual to give Members, whose cause is under investigation, the privilege of stating their cases by themselves, their Counsel, or their agents. I have also stated the grounds on which, if the Honourable Member for Clare is heard at all, he ought to be heard at the Bar, in preference to being heard at the Table. By some persons, who are not Members of this House, the subject is treated as one of trifling concern; I think, on the contrary, that it is of great importance, and that the public advantage is concerned, that when we do an act even of substantive justice, we should do it in the accustomed forms of the House. I know that this is what appears to some superficial minds as ridiculous; but important advantages are often preserved by an adherence to the forms which practice and convenience have established. My Honourable Friend, who put a question at the beginning of this discussion, appeared to have an impression that the House of Commons could not permit the Member for Clare to enter even the doors of the House; but the course of the precedents goes to shew that he might be admitted to the Table without the certificate of his taking the Oaths before the Lord Steward. The case of Mr. Archdale is a strong case on this point. He objected to oaths altogether. There was, therefore, a strong presumption that he had not qualified out of doors; yet, notwithstanding that violent presumption, the House admitted him to the Table without his taking the Oaths. The general presumption, of course, is, that Members have complied with the law, and have taken the oaths before the Lord Steward. If they have not, they are liable to penalties. It should, however, be recollected, that these Oaths before the Lord Steward were provided for the satisfaction, not of the House of Commons, but of the Crown, which not being satisfied with the security provided by the House of Commons, determined to obtain what it considered necessary for the security of allegiance to its possessor, leaving it to the House

of Commons afterwards to take what security it might think proper. I know, however, that these securities are not strictly attended to in every instance, for I know that in my own case I have often taken my seat here without being called on to produce the certificate of my having taken the Oaths before the Lord Steward. I shall conclude by observing, Sir, that in my opinion, your conduct the other day was exactly consonant with the practice of this House; but as I think that Mr. O'Connell should be heard in stating his own case, I shall beg leave to move, as an Amendment to the Motion of the Hon. and Learned Gentleman—"That the Member for Clare shall be heard at the Bar of the House, with reference to his claim to sit and vote in Parliament without taking the Oath of Supremacy." This motion is put, as it seems to me, in the proper form, to leave us afterwards to decide on the substance of that claim.

The Speaker having put the original Motion and the Amendment,

Mr. C. Wynn rose and said: As the Right Honourable Gentleman has alluded to what I stated on a former occasion, I am only anxious to say that the former cases shew the Honourable Member for Clare ought to be heard at the Bar; but there are some precedents to shew he might be called up to the Table. I do not think there is much difficulty in the question. I do not think it signifies at all whether one or the other question is carried. I do not see any inconvenience or danger to the House from either of them. I do not conceive there would be greater danger in allowing Mr. O'Connell to be heard at the Table, than there would be from our conceding the privilege always granted when a Member of the House of Lords claims to address this House on a subject relating to himself—I mean the privilege of being heard from the floor of this House. I am however, perfectly ready to concur with my Right Honourable Friend's Amendment.

Mr. Brougham: The Right Honourable Gentleman has anticipated the few observations I meant to address to the House. I differ from the Right Honourable Gentleman oppo-

site as to the precedents he has quoted, to bear out his original proposition. At the first view, this Table, according to my idea of those precedents, is the place where the Honourable Member for Clare ought to be heard; but whether at the Table or at the Bar, is, in reality, as the Right Honourable Gentleman has observed, matters of little consequence. As in a practical point of view, there is no difference between the two places from which he may be heard, and as I do not mean to contend that he ought to be heard from the one rather than from the other, I should be performing a most unacceptable office—I should be but wasting the time of the House, if I were to go into any discussion of the question now. We find precedents on both sides. One for hearing a Member at the Table, several for hearing him from the Bar; and as hearing Mr. O'Connell from the Bar will be no impeachment of his rights, and will tend to prevent the possibility of litigation elsewhere, I shall, for one, consent to it. Though I have no doubt that the Right Honourable Gentleman's interpretation of the statute is correct, and that no penalties would attach on Mr. O'Connell's being heard at the Table, yet I will not answer that all persons out of the House will have the same opinion. It is barely possible that advantage might be taken of such an act by some persons, and to give the Honourable Member for Clare some trouble; and also if (which I am by no means inclined to anticipate) his re-election should be ultimately declared to be necessary, it might lead into a question before the Committee of this House, whether, by entering into the House without being duly qualified, he had not incurred a forfeiture. On all these grounds, urged and re-urged as they have been, I prefer of the two courses, both of which are open to me, that of hearing the Honourable Member at the Bar.

The Speaker then put the original Motion, which was lost and the Amendment was then carried.

Mr. Brougham thought the sooner they proceeded to the business the better; and he trusted that when they called up Mr. O'Connell, it would be perfectly understood that they

should not only commence, but continue and finish the discussion at once.

Mr. Peel agreed to this suggestion.

The Speaker then put the question, "Is it the pleasure of this House that Mr. O'Connell be called in?" Which having been carried in the affirmative, the Honourable Member soon afterwards advanced to the bar, and was then addressed in the following terms by the Speaker:—"Mr. O'Connell, the House has resolved that you shall be heard at the bar, either by yourself, your Counsel, or Agent, in respect of your claim to sit and vote in Parliament without taking the Oath of Supremacy

Mr. O'Connell: I cannot, Sir, help feeling some apprehension when I state, that I am very ignorant of the forms of this House, and therefore that I shall require much indulgence from you, if, in what I am about to say, I should happen, by anything that may fall from me, to violate them. I claim my right to sit and vote in this House as the Representative for the county of Clare without taking the oath of Supremacy. I am ready to take the oath of Allegiance provided by the recent Statute, which was passed for the relief of his Majesty's Roman Catholic subject. My desire is to have that oath administered to me, and of course I must be prepared to shew that I am qualified in point of property; and whether the House thinks I can take the oath or not; if I am required to take both, I am willing at my own hazard to sit and vote in the House. My right is in its own nature complete. I have been returned as duly elected by the proper officer. It appears by that return that I had a great majority of the county of Clare who voted for my return. That return has since been discussed in a Committee of this House, and has been confirmed by the unanimous decision of that Committee. I have as much right to sit and vote in this House, according to the principles of the Constitution, as any of the Honourable or Right Honourable Gentlemen by whom I am surrounded. I am a Representative of the people, and on their election I claim the right of exercising the powers with which their elec-

tion has invested me. That question cannot arise at common law—it must depend only on the statute, whether a Representative of the people is bound, before he discharges his duty to his constituents, to take an oath of any description? Up to the reign of Elizabeth, I believe I am correct in saying that no such oaths existed. Up to the close of the reign of Charles II. no oath was taken within the House; the 30th Charles II. was the first statute requiring any oath to be taken within the House itself. The oath of Allegiance (and no man is more ready to take the oath of allegiance than I am,) the oath of Supremacy (and there were very few in Parliament at that time who would not take it,) and the Declaration, were for the first time introduced by that statute; and it not only required them to be taken and subscribed, but it went on to provide remedies against individuals who should neglect or refuse to take and subscribe them. Among those remedies, some of which were of an exceedingly extensive, and I may almost call them of an unlawful nature, was a pecuniary penalty of 500*l.*; which I mention, because I shall have again to call the attention of the House to it before I close what I have to offer to its consideration. The purpose of that statute was obvious; it was stated to be "for the more effectually preserving the King's Person and Government," and the mode of attaining the object was disabling Papists from sitting in either House of Parliament. I am, in the discourteous language of the Act, a Papist—I come within that description. I cannot take the oath precribed, and should shrink from signing the Declaration. The object of the statute is sufficiently clear from its title, and the construction of the statute must follow from that title. Therefore it is perfectly evident, that as long as this Act remained in force, it would have been vain for the people to elect me for any County or Borough, as I could not exercise the rights vested in me. The law declares expressly, that a refusal to take the oath shall be followed by the vacating of the seat, and by the issue of a new writ. Up to the period of the Legislative Union with Ireland, this statute, by means of other Acts, was enforced; that is, it was partially

enforced; the Declaration was enforced, and I find by reference to the statute, which I took out of the library of this House, that as to the oaths, they were repealed by 1 William and Mary, sec. 1, ch. 1. That Act altered the form of the oath of Supremacy; therefore it was an oath asserting affirmatively that the sepremacy in spiritual matters was in the Crown, but that statute negatives the foreign Supremacy or spiritual jurisdiction. So stood the Statute Law until the period of the Legislative Union with Ireland. At that period, in my humble opinion, an alteration took place in the effect of the Statute Law. I respectfully submit, that at that period this alteration took place in the law—that whereas, by this Statute of Charles II., and by that of 1 William and Mary, pains, penalties and disabilities were enacted against any man for sitting and voting without having taken the oaths, the direction of the Act of Union was, that any man should take the oaths, but it imposed no pains, penalties, or disabilities. I submit that the Statute of Charles the Second could not operate upon this Parliament; that was an Act of the English Parliament; even a statute passed after the Union with Scotland could not operate; nothing can operate upon this Parliament but a Union Statute, or a statute subsequent to the Union. This seems to me a perfectly plain proposition, such as no Lawyer can controvert, and such as no Judge could possibly over-rule. First, then, I claim to sit and vote without taking oaths by virtue of the Union Act. Secondly, I claim under the Relief Bill to sit and vote without subscribing the Declaration. Thirdly, I claim under the Relief Bill to sit and vote without taking the oath of Supremacy; and, fourthly, I claim under the positive enactments of the Relief Bill to sit and vote taking any other oath than that mentioned in the Relief Bill itself. I will endeavour to go through these four topics as briefly as possible. The Union Act, as I before remarked, certainly directed the oaths to be taken, but with equal certainty it did not annex pains or penalties to not taking them. It did, however, direct them to be taken, and

it is for the House to determine whether it has authority to prevent any man from exercising the right of representation without taking those oaths. I do not mean to canvass that point at great length: I do not mean to concede it, because I cannot; but I admit that there are precedents passed *sub silentio*, where gentlemen after the Union having neglected to take the oaths, private Acts were brought in for their relief. But I put it to the House in its judicial capacity; and having put it, I shall leave it at once, whether the Union Act, not having given the power of depriving a Representative of his right to sit and vote, the House could do it of its own authority, without the warrant of an express law. I could repectfully remind Hon. Members, that this oath is a species of disherison of the public at large; I would remind it, also, that those thus rendered ineligible are rendered ineligible for no other reason than a conscientious respect to the sacred obligation of an oath. It excludes a meritorious class, and admits all who neglect or disregard the sanction to which I have referred: it calls upon the people to elect the careless, the fearless, the mendacious, and it proceeds upon the bad principle of making a selection of the vicious to the exclusion of the conscientious. That being the spirit and principle of the law, I humbly submit to the House whether it would carry that spirit and principle into specific execution. I think If I stood on the Act of Union alone, I should stand firmly in this assembly of Christians and Gentlemen, calling upon them not to give effect to that vicious principle—not to encourage

"The strong antipathy of bad to good;"

not to promote the choice of such as are hostile to those who reverence the sacred obligation of an oath, but to throw the doors as wide as possible to all who will illustrate this assembly by their virtues and their talents. I quit that point, and come to the next, to which I advert with pleasure. I formed it on the Relief Bill. I insist that the effect of this Relief Bill is to do away with the direction of the Union Act, as far as it relates to oaths. I will canvass that proposition first:—The

Union Act directed that these oaths should be taken for a particular period, and for a particular period only. The direction is, "And every Member of the House of Commons of the United Kingdom, in the first and all succeeding Parliaments, shall, until the Parliament of the United Kingdom shall otherwise provide, take the oaths," &c. I contend that this direction is at an end, upon this direction depends the Oath of Supremacy, and my argument is, that the period is arrived. The Statutes uses the adverb of time "until,"—the provision was merely temporary, and the period has expired. The Act of Union provides that certain oaths shall be taken until something shall happen. Has that happened? That is the only question. Let me see whether I can give an answer to the question. I say it has: that is my assertion, and how do I prove it? I take up the Statute and I find—what? that the declaration is for ever abolished. Has not the House, in the words of the Act of Union, "otherwise provided?" This is a penal and restrictive Act; it is restrictive of the people's right. I take up the Statute, and I see that the Parliament has otherwise provided—not for Catholics alone—not for Protestants alone; but for Catholics, Dissenters, and Protestants—all without limitation or restriction. That the period has arrived, I have distinct evidence in what happened to myself at the Table. The Oaths then tendered to me were different from those which would have been tendered before the 13th of April, the document produced was new—it was fresh for the occasion; it was a novel introduction into the House: on one side were the Oaths for Protestants, and on the other those for the Catholics; and why was this? Because the Legislature has "otherwise provided," than at the date of the Union. As one of the Representatives of the people, I claim the benefit of the provision; I claim to come not within any of the oaths. If the new provision has not embraced every case, it is either the wisdom or the defeat of the Act; but either in one case or in the other the time contemplated has come, and I claim my right just as if the Union Statute did not exist. But suppose that what I have said has not convinced the House, let me call

its attention to this Bill, and to remind the House that in construing it there are general principles of common sense to enable us to decide on the construction of a Statute, as well as any Bench of Judges to determine an intricate point of law, Previous to the Union and the passing of the Act of 30. Charles II., the object of the Legislature was to prevent Papists from sitting or voting in Parliament, and any decision of the House upon that Statute must be a decision ancillary to that object. The object of the Statute of Charles was to exclude Papists; but here is now before me a Statute whose object is to open the doors to the Roman Catholics, and to annihilate the bar that has hitherto impeded their progress. First, I say that this Relief Bill, like many others, sometimes takes up a portion of the subject in the middle—then it goes at once to the commencement, and again reverts to some other part of the subject: at all events, it is not so methodical in its construction as to enable me to give at once an analysis of its contents. The second section provides for this case, for all Roman Catholics being Peers, and it enables them to sit and vote on taking the new oaths. It applies as well to the Peers created in the period that intervened between the Statute of Charles II. and the present day, as well as to those Peers whose titles and rights existed prior to that statute: of these there were two who were deprived. I may now say, because it has been admitted in the Legislature, by an unjust attainder—Lord Kenmare and Lord Baron French : they were created Peers during the period when it was impossible for either of them to exercise the right of the Peerage by sitting and voting in Parliament. This Act has admitted them to those rights. As the prerogative of the Crown has been restored to its full effect by means of this Statute, so the right of representation has been made an equal right; as the Royal Prerogative has been perfectly successful, the privilege of the people ought to be equally potential. There are, however, these words in the second section :—" or who shall after the commencement of the Act be returned as a Member of the House of Commons to sit and vote in either House of Par-

liament respectively." After the passing of the Act, every body is to be entitled to the benefit; and I beg the House to reflect, that if I be not by the second section included, I am not excluded by it: though it does not affirmatively establish my right, it does not negative it by any enactment; it may not be sufficient to admit me, but there is nothing to shut me out. One point alone includes me, and it is a point of legal construction, depending on the authority of cases which I shall not now analyse. I might do so, as a Lawyer, were I addressing a Bench of Judges, but before a popular assembly I ought not to occupy time in any such attempt; I only allude to them in order that if a Court should hereafter decide that my argument is valid, it would impose upon me the necessity of taking no oaths at all, or else protect me against the exaction of the penalty. The construction which a Lawyer may put upon the Statute, I apprehend, would be, that he who was returned after the passing of the Act was embraced within its provisions; and the House will give me leave just to mention, that it has lately been solemnly decided in the case of a will, that notwithstanding the peculiar wording of it, children born after the date of the instrument were included in its provisions. I will only remind the House of these technical rules, which, I trust, will never be carried into effect at the expence of any whom I am addressing. I repeat, that if the second section does not include, it does not exclude me. It may be said that it was framed for other objects—to let in persons who have such claims as those of the Earl of Surrey; and here let me claim the assistance of the legal Gentlemen in the House. Beyond a doubt—and I call their particular attention to the fact—if the second section does not aid me, it cannot possibly injure my right to sit and vote. I come, then, at once to the right—I come to it under the tenth section of the Act; and I implore you to forgive me for trespassing so long upon other matters, when I have this section before me, which seems to render doubt impossible.

"And be it enacted, that it shall be lawful for any of his Majesty's subjects professing the Roman Catholic religion to

hold, exercise, and enjoy all civil and military offices and places of trust or profit under his Majesty, his heirs, or successors, and to exercise any other franchise or civil right, except as hereinafter excepted, upon taking and subscribing, at the times and in the manner hereinafter mentioned, the oath hereinbefore appointed and set forth, instead of the oaths of Allegiance, Supremacy, and Abjuration, and instead of such other oath or oaths as are, or may be now by law required to be taken for the purpose aforesaid by any of his Majesty's subjects professing the Roman Catholic religion."

I claim the benefit of that section: it is plain and distinct, and includes no technical subtleties; there is nothing to throw a cloud over its clearness, and having read it, I might stand upon that alone. If then I touch upon other matters, it is only because, not having the right to reply, it is necessary for me to endeavour to anticipate. If, in my anxiety to remove all objections and obstacles, I attribute to Honourable Members weak arguments they would not have used, and which they may gravely disclaim, I hope I shall be forgiven.— This section introduces the franchise: in common parlance, indeed the franchise was introduced before; because the 5th section provides that Roman Catholics shall vote at all elections of cities, counties, and towns; and it provides a new oath to be taken. Therefore, as far as franchise can mean the elective franchise, the Act is so intentionally extensive, that it uses the word, unnecessarily perhaps again. Nay more, the franchise connected with Corporations, is actually mentioned again in the 14th section: thus in the 5th section it means one species of franchise, in the 10th section another, and in the 24th section a third; for fear any franchise should be omitted and forgotten; lest any party should by chance be excluded from the benefits, which I hope and trust will flow from the Act, the word franchise is to be found in three different parts of it. It then goes on to give all civil rights, excepting such as are hereinafter mentioned. The first question is, whether the right of sitting and voting in Parliament be hereinafter excepted. I meet that with a

direct negative—it is not: but there are offices excepted in the 12th section, such as the Guardians and Justices of the United Kingdom, the Regent of the United Kingdom, Lord High Chancellor, Lord Keeper, Lord Lieutenant of Ireland, and High Commissioner to the General Assembly of the Church of Scotland. In the 15th section also the civil rights are excepted which might be exercised for ecclesiastical promotion, and for presentation to livings in the gift of Corporations. These do not include the right for which I contend, and I shall not detain the House by going through the Act more minutely: I have read it carefully and attentively, and I can assert that I find in it no such exception. I shall be asked, perhaps, whether the right to sit and vote be a civil right? And I would reply, if I were permitted to do so, by asking another question—if it be not a civil right, what is it? I have looked into law-books with a view of this question of civil right, and I find that Mr. Justice Blackstone, in his Commentaries, has divided the whole law into rights and wrongs: on the front of his book is formed the very right to sit and vote in Parliament. But I appeal to common sense and common understanding, is it not a civil right? Must it not be a civil right? In the section itself I find civil contradistinguished from military—that Roman Catholics may "enjoy all civil and military offices." The section itself therefore explains the meaning of the term. But travelling out of the section, and resorting to those who have best defined the meaning of words in the English language, what do we find? Dr. Johnson tells us, that "civil" is an adjective which means "relating to the community; political; relating to the city or government." Now, "political" and "civil" must, by the bye, mean the same thing; the only difference being that one word is from the Greek, and the other from the Latin. They are synonymous and identical; and no man can deny that sitting and voting is both a political and a civil right. The example given from Spratt fully supports this assertion. "But there is another unity which would be more advantageous to our country; and that is our endeavour after

a *civil*, a *political* union in the whole nation." This definition and description necessarily includes the right I claim; but let us see what is the definition of that word "right." After giving other significations, Dr. Johnson proceeds to the third sense of "right," which is "just claim;" and he follows it by others; such as "that which justly belongs to one"—"property"—"interest"—"power, prerogative"—"immunity—privilege;" in short, there is not one of these significations that is more comprehensive than I would desire it to be. He inserts the following example from Sir W. Raleigh, of "just claim;"—"The Roman citizens were by the sword taught to acknowledge the Pope their Lord, though they knew not by what right." This is a plain definition and description of civil right. It cannot mean "franchise," because franchise has already been included; it cannot mean "property," because property is included in the 23d section of the Act, which requires no oath at all for the enjoyment of it:—"From and after the passing of this Act no oath, or oaths shall be tendered to, or required to be taken by, his Majesty's subjects professing the Roman Catholic religion, for enabling them to hold or enjoy any real or personal property." Thus, then, "civil right" in this Act does not mean property: it does not mean franchise; but it means a just claim, a political privilege, an immunity of any kind whatever. Common sense here shews what the law sanctions; that by civil right necessarily must be concluded the right to sit and vote. Another observation is, that this section relates to the times and manner of taking the oaths; but suppose I were to concede that no time and manner are expressed, yet the civil right being granted under the oaths directed, and the time and manner being the only condition, necessarily would supply the condition. We have in the 19th section the mode of taking the oath for Corporate Offices, and in the 20th, the time and manner of taking the oaths for other offices; but I will not detain the House upon that point, because in the 23d section, the Legislature has wisely provided for the case: it declares, "That the oath herein appointed and set forth being taken

and subscribed in any of the Courts, or before any of the persons above mentioned, shall be of the same force and effect, to all intents and purposes, as, and shall stand in the place of, all Oaths and Declarations, required or prescribed by any law now in force for the Relief of his Majesty's Roman Catholic Subjects, from any disabilities, incapacities, or penalties." That is the second portion of the 23d section, and in one mode of punctuation it will bear the meaning I attribute to it. However, as there is no punctuation in Acts of Parliament, I shall not trouble the House with any special pleading on particular words; but come to the remaining and distinct portion of the section:—"And the proper Officer of any of the Courts above-mentioned, in which any person professing the Roman Catholic Religion shall demand to take and subscribe the Oath herein appointed and set forth, is hereby authorized and required to administer the said Oath to such person; and such officer shall make, sign, and deliver a certificate, of such oath having been duly taken and subscribed." There is the time, and that time is when it is demanded. The Courts are also specified, viz., the King's Bench, Common Pleas, Exchequer, and Chancery. The time is as universal as the benefit of the Statute was intended to be, and every thing is complete for my purpose. The objection vanishes, because the time is as extensive as can be demanded. I have taken that oath in one of the Courts named. I am ready to prove it. I produced the certificate at the table; and having taken that oath, and produced the certificate, I turn round and respectfully ask, why I am not to be allowed to exercise my rights? Let it be remembered that my case cannot be drawn into precedent: it can never occur again; and I ask the House, in construing the Act, whether it intends to make it an outlawry against a single individual? If the Act were meant to meet my case, why was not my case specified in it? It existed when the Act was passed; it was upon the records of the House, for a Committee had sat while the Bill was pending, and had given in its report upon oath. Why, I ask again, was

not my case specified? Because it was not intended to be included. Where, then, is the individual who would think it ought to be included? Let me call the attention of the House to the recital of the Statute:—"Whereas by various Acts of Parliament certain restraints and disabilities are imposed on the Roman Catholic subjects of his Majesty, to which other subjects of his Majesty are not liable." It includes all restraints and disabilities affecting Roman Catholics; and proceeds—"And whereas it is expedient that such restraints and disabilities shall be henceforth discontinued: and whereas by various Acts certain oaths and certain declarations, &c. are or may be required to be taken, made, and subscribed by the subjects of his Majesty as qualifications for sitting and voting in Parliament, and for the enjoyment of certain offices, franchises, and civil rights: Be it enacted, &c. that such restraints and disabilities shall be from henceforth discontinued." All are to be discontinued.—What do I claim? That they shall be discontinued. It is a maxim in law that the recital of a Statute shall not controul the enactments; but with this qualification, that although a particular recital cannot controul a general enactment, there is no rule of law that a general recital shall not explain a particular enactment. But I have a general recital, and a general enactment too, in my favour. If to sit and vote be not a civil right, what civil right was intended by the word, for every other is provided for? Why should this be excluded? Look at the recital and look at the intention of the statute, and shall I then be told that a doubt can arise as to the right to sit and vote? If I have not that right, what is to be done? Is the statute of Charles II. enabling the House to exclude me still in force? What is to become of me? Am I to remain the Representative for Clare? Will the House not let me in, and is it not able to turn me out? What, I ask again, is to become of me?—I call the attention of the House to that—what is to become of me? The statute of Charles II. imposed penalties for not taking the oaths and

signing the Declaration; among others there was a pecuniary penalty, and it continued in force until the Union with Ireland. The first question I would ask the Lawyers of the House, then, is this—Did the Union Act continue those penalties? I take upon me to say it did not. Then, I ask, can any penalty or punishment be continued on a free-born British subject, when an Act of Parliament, like that of the Union, is silent, and contains no enactment as to penalty? That is a question of Constitutional law; and if I were sued to-morrow for the penalty of 500*l.* I should, of course, instantly demur. If I am right in that position—if the penalty of 500*l.* could not be recovered, shall the greater infliction remain? When Courts of Justice would refuse to enforce the fine, shall this House take the law into its own hands, and deprive me of what ought to be more precious—the right to sit and vote as the Representative of a devided, a disinterested, and, I had almost said, a martyred people? The Union Statute, I apprehend, would alone be sufficient; but I do not stand on that merely. This Relief Bill has abolished the oaths and Declaration, and abolished with it the punishment for not taking the one and subscribing the other. If the Declaration be abolished, does the pecuniary penalty remain? I answer, no; and if the pecuniary penalty do not remain, does the heavier penalty of exclusion continue? Certainly not; and I repecfully submit to the House, that it has not now jurisdiction to prevent the exercise of my civil right of sitting and voting here. I acknowledge that I should take the oath precribed by the Relief Bill; and then let any individual, by favour of justice, bring an action against me, and if the Court should determine that I ought to pay the penalty of 500*l.*, my exclusion follows as a matter of course. The House should consider that this is a large and comprehensive enactment; and I ask why this House should interfere in my case, and not leave it to the Courts of Justice? I do not want this House to yield its privileges to the decisions of any Court or Tribunal in existence; but I wish to shew that the House, by deciding with me, could not preclude any body from trying the

question legally. It is to put my case into that transfer of decision that I am arguing here; that is the utmost I struggle for. The question is: Is it not my right on this return to take the seat to which I have been duly elected? Is the question free from doubt? If there be a doubt, I am entitled to the benefit of that doubt. I maintain that I have a constitutional right, founded on the Return of the Sheriff and the voice of the people; and if there be a doubt on the subject, it should be removed. The Statute comes before us to be construed from the first clause. I did—and I am not ashamed to own it—I did defer to the opinions of others, and was averse from calling for that construction; and if it had not been for the interests of those who sent me here, my own right should have been buried in oblivion. But now I require the House to consider it. Will you decide that a civil right does not mean a civil right? And if this case of mine be not excepted, will you add it as an additional exception? It might have been said by some of those who supported the Bill that it was intended by that measure to compensate a nation for by-gone wrongs, and to form the foundation-stone of a solid and substantial building, to be consecrated to the unity and peace of the Empire. But if what is certain may be disturbed; if what words express may be erased; civil rights may be determined not to be civil rights; if we are to be told that, by some excuse or by some pretext, what is not uncertain, may be made so—we shall be put under an impossibility to know what construction we must hereafter place on the Statute. I have endeavoured to treat this House with respect. My title to sit in it is clear and plain; and I contend that the statute is all comprehensive in its intention, in its recital, and in its enactments. It comprehends every principle and measure of relief, with such exceptions as are thereinafter excepted. But while I shew my respect for this House, I stand here on my right, and claim the benefit of it. The Honourable and Learned Member then bowed to the House and withdrew, amidst very loud and general cheering. Some time elapsed before the House, which was extremely crowded, was restored to order.

The Solicitor-General:—The Hon. Member for Clare having now withdrawn from the Bar of the House, after stating his claim to the right of sitting and voting without taking the Oaths of Supremacy and Abjuration, with that degree of ability which we expected from so distinguished a member of his profession, I trust the House will permit me to say that the temper which he has shewn does him great credit as a man and a gentleman. It now becomes the duty of this House —first to discuss and deliberate on the question on which he has addressed us at the Bar, and then to come to some determination upon it; and I am sure that all the Members of this House will make an endeavour to do so without any thoughts of party feeling, as this is a question that justly deserves to be considered as one strictly judicial. If it were the temper of my mind to look at this question with any party or political bias, I would correct it by reflecting that the Acts of Parliament are long by-gone, and the first actors retired from the stage; and if the House will bear with me while I state the grounds on which I form my opinion on this question, I think it is not impossible that the House may adopt the same opinion, unless stronger reasons should be used by some Hon. Member on the opposite side. It is my opinion that Mr. O'Connell, the Member for Clare, is not entitled to sit and vote in this House without first taking the oaths of Supremacy and Abjuration. On attending to the argument of the Hon. and Learned Gentleman this evening at the Bar, I observed that it embraces two parts, perfectly distinct from each other; one relating to the effect of the Act of the Union with Ireland, by the articles of which he contends that all the oaths and declarations then required by law to be taken and subscribed were virtually done away with. The other part of the Hon. and Learned Gentleman's argument arises solely and entirely on the effect of the Relief Bill passed this Session. It is perfectly clear that these two arguments are entirely different from and independent of each other. As to the first point, I must say it is certain, from the peculiar language of the Act of Union with Ireland, that the penalties and disabili-

ties originally imposed by the Acts of the reign of Charles II. were, in the first instance incorporated into that Act of Union, and made applicable to the new state of things that has arisen since that period. If we could bring our minds to form an opinion in favour of the Hon. and Learned Gentleman's proposition; if we could persuade ourselves, that since the Union with Ireland, there has existed no necessity to take these oaths, and that Roman Catholics might enter the House without violating the law, it would undoubtedly tend greatly to abolish many difficulties and animosities, and heal many heart-burnings, and reconcile all parties at once, by shewing that we have only given up what was no security at all to us. But I am bound in honesty, after the way in which this proposition has been stated, to declare that I cannot adopt it. I do think, that from the Union with Ireland, down to the present Relief Bill, these oaths were a valid, sufficient, and substantial security against the introduction of Roman Catholics into this House, and that they were prevented from entering it until the passing of the Relief Bill. The Honourable and Learned Gentleman takes two grounds of quite a distinct character. The first argues the case as if no oaths could be taken since the Union with Ireland; and next, he asserts his right to enter into the House under the Relief Bill, taking the new oath for Roman Catholics. As to the first argument, there are a great many points as to which we must be all agreed. There may be difference of opinion as to whether the taking of the oaths does not ultimately resolve itself into two distinct points only; for nobody will dispute, that from the 5th of Elizabeth, down to the first of William and Mary, it was necessary that every Commoner, before he took his seat should take the Oath of Supremacy before the Lord High Steward or his Deputies; and it has been contended by some—though I am of a different opinion, and I will shortly state the reasons why I am so—that the first of William and Mary did, in fact, repeal the Statute of Elizabeth. But if we refer to the Statutes of Charles the Second, we shall find it provided, that all Members of Parliament should take the oaths, together

with the declaration against Transubstantiation. There can be no difference of opinion that those Statutes compelled the taking of these oaths, and the subscribing of the declaration, and that the practice was continued subsequently up to the Union with Ireland. Nobody can have any doubt that the only question that can arise is as to the obligation of these two Statutes; that is which of the 1st of William and Mary, cap. 1., rendered the Oaths of Supremacy and Allegiance no longer necessary to be taken before the Lord High Steward? The ground on which I contend that this Act did not render the taking of those Oaths unnecessary is, if it had done so, it suggests the question, why was the practice continued? Therefore I maintain that the Act of Elizabeth was valid and subsisting. The words of that Act are, that the oaths required by it shall be taken by every Knight, Citizen, and Burgess in Parliament. If that Act was still in force, the effect of the Honourable and Learned Gentleman making his entrance into this House for any purpose subsequent to this Debate, would be, to give the House immediate power to dispose of his seat by issuing a New Writ for the Election of a new Member for the county of Clare. I now come to the ground on which I think the Statute of Elizabeth was not repealed by the 1st of William and Mary. All those who have at all attended to the eventful period when the latter Act was passed, know that on King William's landing, he sent letters missive, under the seal of the Prince of Orange, to call together an Assembly which should bear as near a resemblance to a Parliament as the circumstances would allow, the Members of which were all summoned from the different counties, cities, and boroughs, which were entitled to send Members to Parliament. But as they had come together without taking any oath, it was ascertained that some provision was necessary to give authority to this Assembly, which, resembling a Parliament, was in terms and in fact a mere Convention. The Act of the 1st of William and Mary, cap. 1, was passed for the purpose of quieting the difficulties and disputes as to the title of the Convention, and also for the purpose of turning the Convention into a Par-

liament. Any provision in that Act as to taking the oaths was not necessary. The only object of the Statute of the 5th of Elizabeth was, to enforce the taking of the oaths of Allegiance and Supremacy and the Declaration against Transubstantiation. The oath of Supremacy is a merely negative oath; the party swears that "no Foreign Prince, Prelate, or Protentate hath any power, authority, or jurisdiction within this Realm." To my mind, by the Act of William and Mary, the legislature only meant to declare that the oaths should be taken in the body of the House, and was not intended to repeal the taking of the oaths before the Lord High Steward. The opinion I now support is that which was sanctioned by the authority of Lord Chief Justice Holt, Sir George Theby, and Sir John Somers, who was afterwards the great Lord Somers, and their names were surely sufficient to leave no doubt as to the state of the law. We find, accordingly, that under this Statute, the Members of this House have continued to take the oaths down to the present day. We find, too, a reference to this very Statute in the Act of Union with Scotland, continuing its provisions in force. We come next to the Act of Union with Ireland. The Honourable and Learned Gentleman satisfied himself with a very short statement of the grounds on which he founds his argument, that by this Act it was rendered unnecessary to take the oaths. He contends, as there are no distinct words inflicting the penalties and disabilities which before attended the omission of the oaths, the Act of Union cannot be carried into force as the former Acts were. Now, I always understood that Acts of Parliament were to be construed by the natural and fair import of the words they contained. Besides, it should be borne in mind, that at the very moment this Act was passed, the Irish Parliament took the same oaths, and subscribed the same declarations, except that they did not do it before the Lord High Steward. But the Members of both Parliaments had precisely the same laws, as to these Oaths and Declarations, and were subject to the same penalties and disabilities if they neglected to take them. If

there had ever been a doubt as to the necessity of taking these Oaths, in the Irish Parliament, it was removed by the Yelverton Act, in 1782 or 1783, which declared all the Acts of the English or British Parliament, by which Oaths were imposed on the Members of the Irish Parliament, were declared valid. It was a natural consequence that the two Parliaments, when united, should continue to take the same Oaths. By the 8th Section of the Act of Union with Ireland, it is provided, that "every Member of the House of Commons of the United Kingdom shall, in the first and all succeeding Parliaments, till Parliaments shall otherwise provide, take the Oaths, and make and subscribe the Declaration now by law enjoined to be taken and made by the Lords and Commons of the Parliament of Great Britian." The meaning of the word "enjoined," shews that the intention of this section was, that the same legal obligation was to be continued in the united Parliament that had previously existed in the two separate Parliaments. If there were anything else necessary to prove the soundness of this opinion, it is to be found in the repeated instances in which applications have been made to the Legislature for indemnity for neglecting to take these oaths. Only four years after the Union, there was an Act of Indemnity for Lord John Thyne. It is always reckoned that the judgment of a Court of Justice, on any particular subject, is a matter of great weight and interest, but when any point of privilege comes before this House judicially such as where a party disqualifies himself from sitting in Parliaments the solemn decision of this House is infinitely more important than any judgment of a Court of Record. The next case is in 1812 and in 1814; there were Acts of Indemnity for Mr. Charles Grant, and two or three others. These form a strong corroboration of the opinion I maintain, and which I think it is impossible to overcome. The Honourable and Learned Gentleman contends that by the Relief Bill he is entitled to enter this House, but the very first clause of that Bill does in effect admit what I have been contending for. That Clause runs in these words:—Whereas, by various Acts of

Parliament, certain restraints and disabilities are imposed on the Roman Catholic subjects of his Majesty to which other subjects of his Majesty are not liable: And whereas it is expedient that such restraints and disabilities should be from henceforth discontinued, &c.: Be it enacted, that from and after the commencement of this Act, all such parts of the said Acts as require the said declarations, or either of them, to be made or subscribed by any of his Majesty's subjects as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of any office, franchise, or civil right, be, and the same are (same as hereinafter provided and excepted) hereby repealed." On the argument of the Hon. and Learned Gentleman, this Act was altogether unnecessary. If the Act of Union removed the necessity of taking the oaths, the Relief Bill is nothing. But when we see that in the Act of Union these oaths are specially continued "until Parliament shall otherwise provide," surely no more explicit proof can be given of their existence and validity. The words must be construed in their ordinary sense. The Honourable and Learned Gentleman has contended that Parliament has now otherwise provided, and therefore he is entitled to admission without taking the oaths. But if it had been thought adviseable to try the experiment of admitting Roman Catholics into the House of Lords merely, and in the House of Commons the oaths had continued to be required, would the Honourable and Learned Gentleman have felt himself justified in saying, "Parliament has otherwise provided by this change, and I therefore am entitled to sit in this House without taking the oaths?" Having said thus much concerning the argument of the Hon. Member for Clare, as to his admissibility to this House under the law as it formerly stood, I now come to the second part of his argument which he advanced to shew that he had a right to take his seat under the Act recently passed for the relief of his Majesty's Roman Catholic subjects. Now, Sir, I must say, that if any Honourable Gentleman will give his attention to the framing of that Bill, I think that it will be evident to him

that it sets the question at rest; so that there can be no doubt of what was the intention of the Legislature on the question. In order to understand this, let us remember how the law stood at the time of the passing of the Bill. I will state what it was—at least what it was as I view the subject. Up to the moment of the passing of that Bill, no Member could take his seat in this House without first taking the Oaths of Allegiance and Supremacy; no person, then, up to that time, could be considered as a member but by those two means; but then comes the present Statute, containing the declaration under which Roman Catholics shall be admissible to Parliament, repealing so much of the former law as related to the Oath of Supremacy. If the new Act of Parliament had stopped at the end of the first section, merely repealing the oaths as they had formerly stood, the argument of the Honourable Member for Clare would have had considerable weight in it; but the next clause goes on to state, "that from and after the commencement of this Act, it shall be lawful for any person professing the Roman Catholic religion, being a Peer, or who shall after the commencement of this Act be returned as a member of the House of Commons," &c. Therefore, I ask, to what class of Roman Catholics does this Act apply? Not to all, clearly, because the words expressly are, "who shall after the commencement of this Act be returned;" and, therefore, since no man before the passing of this Act could enter the House without taking the Oaths of Allegiance and Supremacy, by what authority are we now to say that the application is general, and that no one, whensoever returned, is required to take the Oaths of Allegiance and Supremacy? My argument then, Sir, is, that by looking at these two sections of the New Act of Parliament, we shall find a clew by which to interpret the intention of the Legislature. Allow me also to state, that the reason which runs in favour of the intention of the Legislature, as I interpret it, is also consistent with the real justice of the case, because it is well known to every body that there was a measure, which, though it was not actually included in this Act of Parliament, was made an accompaniment of it, and

the effect of which was to disfranchise an entire class of the freeholders of Ireland: the exclusion, therefore, of any Members elected previous to the passing of that Act, seems to me to be no more than justice, if the effect of that measure is fairly taken into consideration; for, as that accompanying Act may be looked upon as the price paid for the new privilege obtained through the medium of the Relief Bill, it is but consistent that those only who come in under the new state of things should reap the privilege for which the price has been paid. If this were not so, the effect will be that the Hon. Member for Clare, or any other person, who might have been elected under the old system, having the benefits which that old system was able to give, will now be able to claim also the benefits of the new system. I therefore again say, that it appears to me perfectly just and right that none should claim the privileges to be derived from the new Act, without giving up those which belonged to the old Act. All this, however, would not have been material; nor should I have said so much upon it, but for the imputation which the Honourable Member for Clare seemed to throw out, that something personal towards him was intended in the provisions of the new Act. I can assure the House that I have no such feeling in my mind, and that my only desire is to deal with the meaning of the Act, as I believe to be within the intention of the Legislature. By looking at the first two sections of the Act, it appears that only a limited class of Catholics are admissible upon the terms prescribed in those sections, and if the matter rested there, I should say at once that the Honourable Member for Clare is not one of those who are entitled to take advantage of those provisions. I know that it has been contended—but the Honourable Gentleman himself does not appear to have relied much upon it—that a Member who is returned before the passing of the Act is also returned after the passing of it; or, in other words, that once returned is always returned; but though this may be a very palatable doctrine to many Gentlemen, I am sure that no one will think of insisting upon the weight of such an argument for a single minute. Let us,

then, go a little further, and consider the rest of the Hon. Gentleman's argument. We have seen that the first two sections relate to the right of voting in Parliament; the tenth section, upon which the Honourable Gentleman appears chiefly to rely, provides that Roman Catholics shall enjoy all civil rights upon taking the oath that is set out in the Act, but the only argument of the Honourable Gentleman upon this point is, that the words "Civil Right," include the right to sit and vote in Parliament. I know that the Honourable Member for Clare is a gentleman of high legal attainments; but nevertheless, with all deference to him, I must say that nothing can be so clear as that the Legislature has given distinct interpretation as to the different rights of the Roman Catholics. The Hon. Gentleman well knows that the only rule of law by which a Statute is to be construed is to look at every part of it, and to consider the bearing of each; this is the principle that Lord Coke distinctly laid down, when he states that the whole of an Act of Parliament must be looked at *quasi ex visceribus actis:* following up the rule thus laid down, let us try to eviscerate the meaning of the Act from the general bearing of the various sections; and in order to do this effectually, I pray you to look back to the first section: after the preamble has recited, that by various former Acts certain Oaths were required to be taken, the first section goes on to state, that "for sitting and voting in Parliament," which is one of the divisions contemplated. and "for the exercise or enjoyment of any office, franchise, or civil right," which are the other two divisions within the contemplation of the Act, those Oaths shall be repealed. So that by this arrangement the Legislature appeared to make a triple distinction of the disabilities of the Roman Catholics, the first three section of the Act were taken up by the question of sitting and voting in Parliament, and prescribing the oath and declaration to qualify for that: then, that question being disposed of, it goes on to the right of holding office, and gives the particulars on that head; and thirdly, it alludes to the subject of franchise and civil right, and lays down the oath to be taken in all cases. But the Hon. Member for

Clare puts his finger on a single word; and dragging it forth from the tenth section, contends that when it has received his interpretation, it is to be taken as the whole spirit of the Act. Now, Sir, I am ready to contend that, on the Honourable Gentleman's own shewing, he is, to use a term which is well understood in our profession, out of Court; for if we look at the tenth section, on which he founds his right, we find that it says "that it shall be lawful for any of his Majesty's subjects professing the Roman Catholic Religion to hold, exercise, and enjoy all civil and military offices, &c., upon taking and subscribing at the times, and in the manner hereinafter mentioned, the oath, &c." Now the Honourable Gentleman has not taken the oath "in the manner hereinafter mentioned," but claims upon the oath previously mentioned, so that in fact he merely takes up a part of the sentence without following it up through the remaining conclusions. But, besides this, there is another answer which, in my mind, is conclusive—if there is any foundation in the Honourable Gentleman's argument, that "civil right" includes the right of sitting and voting in Parliament, the only step that it would be necessary for the Hon. Gentleman. or for any Roman Catholic to take, would be to go before a justice of the peace and take the oath as prescribed; and if this would do, what was to come of the first and second sections of the Act, in which the Legislature had with such care and anxiety pointed out the only mode by which a Roman Catholic could qualify himself to sit and vote as a Member of that House? If the House will only bear in mind that a single word is not to be picked out of an Act of Parliament, and have the widest meaning comprehended by it, in any case, affixed to it, and that the only fair mode of construing an Act of Parliament is by studying the general bearing of the various sections, I think that no doubt can be entertained that we shall come to the conclusion that the Hon Member for Clare was mistaken when he supposed that under the tenth section was comprehended a right for him to sit and vote in this House of Parliament. If the matter were of any value, I should be willing to make the concession, that if there

were no word but "civil right" in the Act, and no section but the tenth section, the Hon. Gentleman would then have a right to the weight of his argument in its fullest extent; but the great point on which I rest is, that the tenth section is merely applying to inferior offices after the superior one of a Member of this House has been disposed of by the first and second section. I have, perhaps, taken up more of the time of the House than I ought on this subject—but as I look upon it as a mere legal question, I thought that by so doing I might be able to excite the minds of those who have taken a different view of the matter to canvass and answer the objections which I have urged. This is the reason that I have thus early in the debate presented myself to the attention of the House, and I can assure it that I have done so without the least reference to the particular individual concerned, and without the least desire of keeping him from a seat in this House. Such a course would be the last thing in the world by which I should be actuated; the sole feeling by which I have been guided is, that the privileges of this House might be preserved inviolable. I have looked only at what appeared to me to be the law of the subject; and from the conclusion which I have drawn I feel it to be my duty to conclude by moving—„ That Mr. O'Connell, having been returned a Member of this House before the passing of the Act for the Relief of the Roman Catholics, he is not entitled to sit or vote in this House unless he first takes the Oath of Supremacy."

Mr. G. Lamb: The question certainly appeared to him to be one of some difficulty; but as he believed that the Act which had just been passed had been conceived in an enlarged and extensive spirit, he thought that they were bound not to be too nice as to the minor points at issue, and he should therefore give his vote for the admission of Mr. O'Connell. He would state to the House the way in which he read the clauses of the Act: the declaration contained in the preamble expressly stated that every disability should hereafter be removed: in the second clause he found an arrangement that related to persons who should hereafter be returned to the House of

Commons. It was difficult, he admitted, to forget the circumstances of the times in which they lived; but if they could suppose this generation passed away, and the Statute commented on by a generation who had never heard of the particular circumstances attending its passing into a law, what would be the observation on that section which confined the privileges contained in the Act to those who should be hereafter elected? They would say that it was not proposed to make any distinction between the persons returned before the Act and those returned after, but that the cases of those returned before the Act were omitted by accident. In the reign of Henry VI. on the trial of the Duchess of Gloucester, a doubt arose as to whether Peeresses were entitled to the benefit of clergy, and an Act was in consequence passed, stating that all Noble Ladies, whether Duchesses, Countesses, or Baronesses, were entitled to that benefit, entirely omitting to mention either Marchionesses or Viscountesses. When this Act was commented upon, as it was very much when the case of the Duchess of Kingston was before the public, it was not supposed that there was any intention of purposely omitting the latter titles, but it was rather thought probable that there were none at that time holding such rank; the same thing would probably be said about this Act, and the case of the Honourable Member for Clare being forgotten, it would be supposed by after senators, that the Act was only made to apply to those elected after the passing of the Act, because there were none elected before its passing and awaiting for its operation. If they were to go on and look at the question under the tenth Section, he certainly did not know how they were to define the right of sitting in Parliament but as a civil right; but then the question arose—were the two clauses at issue with each other? Not at all, as it appeared to him. The second clause only referred to the particular case of persons elected after the passing of the Act, but the tenth applied generally to all civil rights of all Roman Catholics; and it was therefore to this general arrangement that they were to look in Mr. O'Connell's case. He trusted that he had argued this question, as a dry

legal question, and he trusted that the House would be cautious how it laid itself open to the imputation of levelling this Act against an individual.

Mr. Fergusson: If there could be any doubt upon the mind of the House, as to which way it ought to decide, the Petitioner was certainly entitled to receive the benefit of that doubt; but on the best consideration that he had been able to give to the subject, he thought that it was as clear as possible. It appeared to him that it was never contemplated to include the case of the Honourable Member for Clare within the Act. He should not touch upon the Act of Union, as he thought the Solicitor- General had sufficiently proved that the Act of Union made no difference in the case; and that up to the time of the present Act of Parliament, no change had been made; so that every Member was bound to take the prescribed oaths before the Lord Steward, and again at the Table of the House. In opposing the Motion that had been made in favour of the Honourable Gentleman, he did it with considerable reluctance; for if he could have brought his mind to believe that he had a right to sit, he was convinced, from what he had seen of the Honourable Gentleman that night, that he would be a valuable acquisition to the House; but looking at the question simply in a judicial point of view, he took it, that on the Act of Parliament it was impossible to come to the conclusion that he could be admitted without taking the Oath of Supremacy. He could not agree with the Hon. Gentleman in thinking that he was not excluded by the new Act of Parliament. That Act was strictly an Act of admission, and consequently, if the Honourable Gontleman was not distinctly admitted by it, he was to all intents and purposes excluded. The case, with all Acts of Parliament was, that the effect of them commenced from the day of passing the Act, and not retrospectively, which course would in this, as in almost all other instances, be productive of considerable inconvenience. There was one thing in the Act which must strike the mind of every lawyer, and he therefore wondered that the Honourable Gentleman had not

felt its force. If the Act had gone no further than the mere point of civil rights, he would admit that the Hon. Gentleman would have had a right to sit; but the words were, civil and military office, franchise, or civil right; and it was a settled point, that if an Act treated of an inferior person or thing, it could not include a person or thing of superior degree. Then how did the case stand? In one part of the Act they found that provision was made for the admission into Parliament of such Roman Catholics as were returned after the passing of the Act; and in another part that Roman Catholics were admissible to civil rights—but this term meant rights not of a higher nature than civil or military office, franchise, or civil right. This was a point that must be clear to every lawyer; and, therefore, believing that there was no part of this Act applicable to the case of the Honourable Member for Clare, he should certainly vote for the motion of the Solicitor-General. Though Honourable Gentlemen might laugh, he could assure the House that he had given his vote for Catholic Emancipation with as cordial a feeling as any man who heard him; and if he thought that the opinion which he had now pronounced could be attributed to any lukewarmness on his part, he certainly would not have uttered it, because he should be ashamed of himself if it could be for a moment supposed that he was actuated by a feeling of enmity against a person whom he did not know, or that he should go in this particular instance against the whole tenour of his conduct through life.

Mr. M. Fitzgerald: He could assure the Hon. Gentleman that he was not one of those who had laughed at any opinion expressed by him; on the contrary, he was well persuaded that the opinion he had given, had proceeded from the best consideration that he had been able to give to the subject. Joining, as he most cordially did, in the opinions which had been expressed by the Hon. and Learned Gentleman (the Solicitor-General) upon the talent, the temper, and the eloquence with which the Hon. Member for Clare had conducted

his argument, he trusted that the House would adopt a course equally creditable to it, and that its Members would dismiss from their consideration every event connected with the election of the Hon. Member, and apply their attention merely to the technical objections which had been urged against his taking his seat. He confessed that he (Mr. Fitzgerald) approached a question of that kind with considerable diffidence, and with no little apprehension of being entangled amongst the mass of legal deductions which lawyers drew to their aid on such occasions. He was emboldened, however, by the conviction that this was not one of the cases to be governed by such principles, and that there really would be found as little difficulty in coming to a satisfactory conclusion in favour of the right of the Member for Clare to take his seat in that House. Applying himself, however, for an instant to the legal arguments through which the right of the Member for Clare was attempted to be resisted, he confessed it was not without very considerable surprise that he listened to the observations of the Hon. and Learned Gentleman (the Solicitor-General), in referring to the arguments of the Member for Clare, upon the 10th section of the Act, admitted at once, that if the case turned on that alone, he was willing to concede the point that Mr. O'Connell was eligible to take his seat in that House. But the Hon. and Learned Gentleman contended that the 10th section was to be taken purely with reference to the 2d section, and that it was to be construed in connection with it, while the Hon. Member for Clare, on the contrary, maintained that the 2d section was to be taken with reference to the 10th section. Now, he really thought, that if a clause of an Act was to be judged of by any test, it was by the plain and obvious meaning of the words contained in it; and if it was plainly and decidedly declared in the 10th section of an Act that a Catholic may exercise any franchise or civil right, upon taking and subscribing the Oaths hereinbefore appointed, it could scarcely be said with fairness that there was not in these words a fair ground for contending that the Hon. Member for Clare might claim the benefit of the exception contained in them.

What, indeed, would be the effect of the Honourable and Learned Gentleman's arguments, if carried to their full extent? In the first section of the Act, all declarations are repealed with reference to all descriptions of persons, both Catholic and Protestant. Now, as the Honourable and Learned Gentleman contends that no persons can take these Oaths, and, therefore, claim a seat in the House, except the persons distinctly and positively pointed out in the second section, it follows that the Oath of Supremacy is retained wholly for the Protestants The conclusion to which the Honourable and Learned Gent. and the Honourable Member for Kircudbright (Mr. Fergusson) came, however, was, that Mr. O'Connell could not take advantage of his situation, because he was described in the Act, but because he was not described in the Act, because there was no express clause applying to his peculiar case. It was his (Mr. Fitzgerald's) desire, as he was sure it was the desire of every liberal man in the country, that if from any looseness in the wording of this statute, or from any other cause, there remained a doubt upon the construction of the clauses, that the doubt should be construed in favour of the Member for Clare. He and other Honourable Members stood with the Honourable Member for Clare on the rights of the People who sent him as their Representative to that House; and, in their name, he required that the Act should be construed according to the spirit and intentions of the Legislature, with reference to that Sect of which the Honourable Member for Clare professed himself to be. He claimed, where doubt existed, that every fair and liberal construction should be put on the terms of that Act; for if ever there was a time when there should be a liberal construction in favour of the rights of the people, it is that time, when their recent Act of Legislation and their still more recent declarations, have proved them indisposed to extend the right of representation. It was for this reason he thought they should be cautious how they wantonly limited those rights which already existed. The Honourable and Learned Gentleman (the Solicitor-General,) in observing upon the manner in which the Member for Clare

advocated his cause, took occasion to ridicule the attempt to draw conclusions from the application of common forms of expression; but what, he would ask, could be more sensible or appropriate than to continue a clause according to the plain and obvious meaning of the words? He did not wish to detain the House with many observations upon a question which might, perhaps, from its nature, be thought more fitly placed in the hands of others, and he should, therefore, conclude by declaring that, in his opinion, they ought not to resort so much to the constructions of lawyers as to the feelings of public convenience, and that, above all, they ought, if they could, to rescue Parliament from the odious imputation of having framed their Act in terms expressly calculated to ruin one individual of that class whose penalties and disabilities they were pretending wholly to remove.

After a few words in explanation from Mr. Fergusson.

Mr. Batley said, that as the question was one of a purely judicial nature, he thought it was impossible any angry feeling could be raised from it in the breast of a single individual. The Bill in his opinion, was framed in such a manner as to leave no doubt respecting the exclusion of the Member for Clare. The words of the second section were indeed too explicit to leave the slightest question on the subject.

Mr. Sugden then addressed the House, but in so low a tone that many of his observations were inaudible in the Gallery. We understood him to say, that although the Honourable Member might, as he declared, consider the Act to which he referred as an Act of Outlawry against him as an individual, still that was not a question which the House could entertain now. If that Honourable Person thought the Act was likely to operate in that manner, he should have made his objections when it was under the consideration of Parliament. He (Mr. Sugden) recollected, however, very well, when the Bill was before the House, and when they were in Committee discussing the clause which contained the words "who shall, after the commencement of this Act, be returned as a Member of the House of Commons," that an Honourable Member rose in his

place (we believe Mr. S. Rice,) and declared, on the part of Mr. O'Connell, that if the House thought proper to insert those words he was not disposed to offer any opposition or do any thing to retard the progress of the Bill on account of the effect which those words might have on him. He (Mr. Sugden) alluded to this now, because it was then the unanimous opinion of the Members of the House that those words did exclude Mr. O'Connell from taking his seat. It had been said by several Honourable Members, that if a doubt was entertained on the construction of the Statute, Mr. O'Connell should have the benefit of that doubt. He, for one, could not concur in the opinion that Acts of Parliament were to be construed according to such principles. He considered the duty he was performing as merely judicial. He cared not whether the decision did or did not exclude Mr. O'Connell. He looked at the case with reference to the words of the Act of Parliament, and feeling satisfied there was no doubt of their excluding that Gentleman, he was determined to give his vote accordingly. It had been said that the Honourable Member for Clare had taken the Oaths directed to be taken before the Lord Steward. There was nothing, however, in the Act of Parliament which rendered it imperative that he should do so, and even when he had taken it there was no information conveyed by it to the House. There was merely a certificate declaring that the Honourable Member had taken a certain Oath. The Honourable Member for Montrose said that Mr. O'Connell had taken two Oaths, but he (Mr. Sugden) must really be permitted to say he doubted that fact [Mr. Hume repeated his assertion.] He begged the Honourable Member's pardon, but he really thought it would be found the Member for Clare had taken the same Oath twice. He alluded to the Oath prescribed by the 20th Section, and which might be taken in the Lord Steward's Office, and also in the King's Bench. That was not the time to enter into the discussion of the consequences attendant upon the course which the Member for Clare had adopted, but he apprehended that he had brought himself within the operation of the 5th of

JOSEPH HUME, ESQ. M.P.

Drawn by J. Patten Pratt — Engraved by [illegible]

Elizabeth, and that presuming him to be now expelled, the Honourable Member would, on his re-election, find himself not eligible to take his seat in the present Parliament. That, however, was, he repeated, a matter for future consideration. It had been made a question whether the 1st chapter of the 1st of William, or the 8th chapter of the same year, referred to Members of Parliament? The fact was, however, that they both related to Members of Parliament, and the 4th and 5th of Anne did not adopt them, but merely recognized the necessity of their being taken. At the present moment, however, the House had the power to dismiss the case, and so get rid of the necessity of considering the question of penalty, or of allowing any unhandsome advantage to be taken of their proceedings by persons out of doors. It was impossible, however, for any men, as lawyers, to differ upon the question of the Honourable Member's ineligibility to take his seat. They were asked to judge of the Act by its spirit, and by the intentions of the Legislature. The Act was as plainly worded, and applied itself as strongly and as deliberately, and in as business-like a manner to the work it had to perform as any Act which had ever received the sanction of that House, and throughout the preamble and in every clause was framed to apply expressly to the election of Members to serve in Parliament. In the consideration of such an Act it was the clear and settled rule, that although the preamble might direct you as to the meaning and intention of the clauses, it was never allowed to overrule the distinct and settled meaning of a clause. What then was the expression of the second clause? "That from and after the commencement of this Act, it shall be lawful for any person professing the Roman Catholic religion, being a Peer, and hereafter returned as a Member of the House of Commons, to sit and vote in either House respectively." Now it was impossible to contend that these words were not introduced for a specific purpose, and that the right there mentioned was intended to be made general as to the Peers, but limited as to the Commons. The oath was then prescribed, and the tribunal before which it was to be taken,

the time, and the manner of taking it, distinctly pointed out. The Hon. Member for Clare had indeed done homage to one part of the Act, and acknowledged its authority, for he had gone before the Lord Steward and taken those oaths, which the Act declared to be necessary. For one, he should be very happy to see the Honourable and Learned Gentleman in the House; convinced as he was, from the temper and ability which he had that evening manifested, that he would be a very valuable acquisition. For his conduct, under the circumstances of the case, he (Mr. Sugden) must pay him the tribute of his admiration; and he was quite persuaded, from his observation of that conduct, that the Honourable and Learned Gentleman would be found ready to pay implicit deference to the unbiassed and impartial decision of the House upon his case.

Sir James Scarlett followed; but the legal character of his speech, and the rapidity of his utterance, render it impossible for us to give more than a very brief, and, we are sensible, imperfect sketch of the Honourable and Learned Gentleman's observations. He began by declaring his entire concurrence in the eulogy pronounced by his Honourable and Learned Friend who had immediately preceded him on the good temper and ingenuity which had marked the address to the House of the Honourable and Learned Member for Clare. It certainly would be a subject of great regret to him if the House should feel obliged, in the discharge of their duty, to vote the exclusion of so able a man. Notwithstanding that feeling, however, he was bound to look at the subject, divested of all personal feeling. It would, indeed, be most unbecoming to make it a party question; and he was sure that no one would think of so making it. He owned that he should be better pleased if he could be more completely satisfied with respect to the merits of the case; but he could not refrain from saying, that he much doubted whether all the arguments of the Honourable and Learned Member for Clare had been met by his Honourable and Learned Friend. At the same time, looking at the whole case, he found it impossible to come to any other conclusion than to agree to his Honourable and Learned Friend's pro-

position; although the steps by which they both arrived at that conclusion were not precisely the same. Were he to be compelled to decide the question on Parliamentary authority, on the Resolutions and practice of the House, which had great weight with him, he was aware that it would be a hopeless task to attempt to maintain that the Statutes requiring the oaths to be taken by Members of the House, before the Lord High Steward, had been repealed. At the same time, and with the concession which he had just made with respect to the practice of Parliament, if he were called upon to pronounce judicially on the question, he must say that in his opinion they were repealed. He would shortly state why. As his Honourable and Learned Friend had observed, the 1st of William and Mary, cap. 1, in the Convention Parliament, was framed with a view to remove doubts respecting their own legality; and to reconcile their existence with the antecedent law of the land. They could take no oath of allegiance to James the Second, because he had abdicated; nor could they all take the Oath of Supremacy. Many of those Members who had most warmly aided in the Revolution must have been excluded from Parliament, if the oath of Supremacy had been left in its original form. The history of the Act to which he alluded was this:—It was sent down from the House of Lords to the House of Commons on the 22d of February, and read a first time. A great discussion then arose upon it. It was well known, that in the Convention Parliament there was a large party adverse to the new order of things, and inclined to throw doubts on the legality of that Parliament. That party had just before addressed the King and Queen to dissolve the Parliament, and to issue new Writs, for the purpose of assembling a Parliament of a legitimate character. The subject was much discussed by the lawyers of that day; and he was glad to say, that they all took the liberal side of the question. The Bill having, as he had already observed, come down to the House of Commons from the House of Lords, and been read a first time, it was on the following day read a second

time, and was then referred to the consideration of a Select Committee; which Committee was instructed to examine and report to the House what other Acts relating to taking the oaths by Members of the House of Commons, besides that of Charles II., ought to be repealed. The Journals were silent on the subject; but he had looked at the original records, and found that such was the case. The Bill, as sent down by the Lords, referred to the Act of the 30th of Charles the Second only; some of the Members of the Lower House wished to extend it further, and an Amendment to that effect was proposed and adopted. The third clause of the Bill in question, so amended, was to the effect, that the Act of the 30th of Charles the Second, and all other Acts concerning the taking of oaths by Members of Parliament, should be repealed. It had been said by his Hon. and Learned Friend that those Acts had no relation to the sitting and voting of Members of Parliament. But if they related to the oaths necessary to be taken before entering the House, they related to the sitting and voting of Members of Parliament. The fourth section of the Bill enacted new oaths, to be taken in the same manner as the former. That Act, however, related only to the Convention Parliament; and if the matter stopped there, it might be said that it was only a repeal *pro hac vice*. He had looked carefully into the subject, and he had been unable to discover any other Acts relating to oaths but the 30th of Charles the Second, the 5th of Elizabeth, and the 7th of James the First. The Honourable and Learned Gentleman here read at length the Amendment introduced into the Act of the Convention Parliament by the House of Commons, and maintained that if the question turned on the statute alone, and without reference to the usage of Parliament, there could be no doubt that the oaths had been repealed. There could be no reason why the Convention Parliament, who had repealed the Acts which were applicable to themselves, should not repeal the others. The 8th chapter, section 5, of the same Session, his Hon. and Learned Friend said, alluded to Members of Parliament.

The words of it were, that all persons, excepting those concerning whom other provisions were made, should, on entering on any office, take the new oaths. These was some of the circumstances which excited doubts in his mind. Had it not been for the usage of Parliament, all professional men would say that it was a case of repeal. It appeared, however, that in practice, the oaths taken before the Lord High Steward continued to exist—except in the case of Archdale, the Quaker, which occurred ten years after the passing of the Act. In 1698, the House directed Archdale to come to the Table and take the oaths, when they knew that he had not taken the oaths before the Lord High Steward. In many other cases, however, between the year 1698, and the Union, the House experienced great occasional inconvenience from the absence of the Lord High Steward from London; and had on several occasions been obliged to adjourn, because they had no means of adding to their number. This, he was obliged to admit, showed what the practice of the House had been. Bills of Indemnity had been passed in favour of certain individuals, who had violated that practice. That, however, only proved that there was doubt. It did not absolutely decide the subject. A Right Honourable Friend of his, and a Noble Lord, had been the subjects of Bills of Indemnity on this ground; but that did not imply that there was any fixed opinion on the subject, only that great doubts existed respecting it. He now came to the Act of Union with Ireland. He owned he was struck with the argument urged by the Hon. and Learned Member for Clare, that the omission in the Act of Union with Ireland of any Penal Clause was a circumstance well worthy the consideration of the House. A Penal Act affecting any particular Parliament could not by construction be applied to another Parliament not in existence at the time it was passed. Accordingly, in the Act of Union with Scotland, the Act of the 30th of Charles II. and the other Acts containing Penal Clauses, were by name expressly re-enacted, There could be no doubt, therefore, that it was the intention in the Act of Union with Scotland to exclude Roman Catho-

lics from Parliament for ever; or as long, at least, as the spirit in which that Act was framed should continue to exist. By this proceeding the Penal Statutes in question were rendered applicable to a Parliament not at the time in existence. That was not the case in the Act of Union with Ireland. The party by which the Union with Ireland was brought about, and of which Mr. Pitt was the principal leader, were evidently anxious to repeal the obnoxious oaths, and to let the Catholics into Parliament. And it must be admitted as not improbable that in framing the Act of Union with Ireland, they contemplated the repeal, at no distant period, of the penal clauses. Under such circumstances, it was not their policy to re-enact those clauses. They thought it sufficient to provide for only a general discretionary power on the part of Parliament to administer to all members the oaths as by law established. He could not agree with his Hon. and Learned Friend that what was applicable to each Parliament separately, was applicable to them both when united. The fact certainly was, that the penal clauses had not been re-enacted. Still, however, it appeared to him that the House was obliged to impose the oaths The Act of Parliament directed it, and it must be obeyed. Having a great admiration for the talents of the Hon. and Learned Member for Clare, and a great wish to see him in that House, he regretted being obliged to come to this conclusion. He now came to the last part of the argument. If he understood the Hon. Member for Clare rightly, he maintained that the Relief Bill, by the tenth section, provided for all cases whatever of civil right, and that the right of sitting and voting in Parliament was a civil right. There could be no question that it was so. His Hon. and Learned Friend had, however, contended that the tenth section was not to be looked upon in an isolated point of view, but must be considered with reference to what preceded it. He (Sir James Scarlett) confessed that he could not put the construction upon the tenth section which the Honourable Member for Clare had put upon it. [The Hon. and Learned Member argued this point at some length, but we were unable to follow him

with accuracy.] If it could be made out that the general words of the Act admitted the claims of the Hon. Member, it was the duty of the House to say so. He must declare that the House was the only body to which an appeal could be made on the subject. If the question were for a new writ, he should certainly say that he was not prepared to give his vote for such a motion, but he should require postponement; but he could now vote for the proposition of his Hon. Friend. The Member for Clare had not satisfied him that he was entitled to his seat.

Mr. C. W. W. Wynne rose, but spoke so low that the Hon. Member was at times totally inaudible in the Galleries, and at no time distinctly heard. He said he had no doubt that that House was the proper and the only tribunal to decide the rights of its Members; nor could he agree in the opposite doctrine without an absolute and utter abandonment of the privileges of Parliament. After the House had allowed an elected Member to take his seat, it would be such a decided declaration of the opinion of the House, that no Court of Law would venture afterwards to come to a contrary conclusion. The declaration of the House of Commons would always be obligatory in a Court of Law. The first point to consider was the taking of the oaths before the Lord Steward. Upon this he did not feel himself under the necessity of saying very much. If this were a question upon a Statute, he should say that the fifth of Elizabeth had been decidedly repealed, and that there was no necessity whatever to take the oaths prescribed to be taken by that Statute before the Lord Steward. It was evident that none of the Members of the Convention Parliament could have taken the oaths before the Lord Steward, for there existed at that time no such Officer before whom they could have taken them. Afterwards several Members of the House of Commons were made Peers or Judges, and new Members were elected to supply their vacant seats; but yet it did not appear by the Journals of the House that the Lord Steward had administered the oaths to such newly-elected Members. On the first day of the succeeding

Parliament there was evidence that he had administered the oath. The first of William did repeal the Act of Elizabeth; for it directed that the oaths should be taken at the Table of the House, and not elsewhere. Such were the conclusions to which he should be obliged to come upon considering that Statute; but, in opposition to this, he had the whole current of Parliamentary experience. Nothing was more familiar than to hear it said in Courts of Justice, that if this were an Act upon which we were now called, for the first time, to decide, we should entertain no shadow of a doubt; but we are bound by a long course of practice in the Court, in which a different view of the Act has uniformly prevailed. The practice of this House had put a different construction upon the Act of William; and it had been deemed necessary that the oaths of Elizabeth should be exacted of Members taking their seats in that House. He could refer to a number of cases upon this point. There were four cases of Members of the House of Commons, and three of Members, of the House of Lords, since the Union with Ireland. There were distinct cases of Acts passed to relieve Members from the penalties of having taken their seats and voted, without having previously taken the oaths. In all such cases the House had declared the seats of such Members to have been vacated. They had passed Acts to relieve Members of the penalties, after those penalties had been recovered in Courts of Law; but they had always given effect to that part of the Act by which the seats of the Members who did not take the Oaths were *ipso facto* vacant. In 1812, the House passed an Act to legalise the oaths taken irregularly before the Lord Steward. The present Act was prospective; there were no negative words; and the question, as the Solicitor-General had declared, was to be decided as if it arose out of an Act 100 years old. He had argued that the House ought to leave out of the question all the House had heard as to the particular reasons which might have induced particular Members to give their assent to the Bill, and to look at the Act itself. If he (Mr. Wynne) took the Act itself, it appeared to him that he could not find out that it was not

retrospective. He found contrary declarations. He found that no other civil right or practice whatever was controlled by its having been acquired before the passing of the Act. All persons appointed to offices—the Mayors and officers of Corporations, elected or appointed prior to the Act, were at full liberty to take the oaths under the Act, instead of the old oath. No doubt existed of this, whether they acquired the place before or after A seat in that House was a civil right. Was it then consistent with the spirit — was it consistent with the meaning of the Act, that it should in one instance be construed to have a retrospective effect, and not in others. The Act declared that Roman Catholics should give assurance of their loyalty and fidelity, by taking the oaths therein prescribed, and that all persons taking such oaths should be able to exercise all civil franchises: why, then, should not a Member of that House, elected before the passing of the Act, and willing to take the oaths, be considered entitled to his seat? If this Act had been passed many years ago, he could not help construing it to extend to all classes of civil rights whatsoever. He must, however, say that the preamble of the Bill made a distinction between civil rights and the right of sitting and voting in Parliament. Notwithstanding, he could not conceive that the functions of Parliament did not constitute a civil right. He felt great difficulty in the case, and he was disposed to concur with those who would set the question at rest by another Act, including the case of the Member for Clare If there were any doubt, he should feel it his duty to give the most full and ample scope to the remedial part of the Act. It was a measure intended to remove all the disabilities existing under all former statutes whatever, and in any doubtful circumstances it ought to be construed largely.

Mr. Doherty said that any person aware of the relationship existing between him and Mr. O'Connell, might conceive that it would be painful for him to give a vote which should exclude him from the House. This, however, was a question on which a man could not vote according to his wishes—he felt it

necessary to vote strictly according to his judgment. The Bill was clear, and he felt coerced to give his vote in support of the motion of his Right Hon. Friend the Solicitor-General.—The time was past for considering the expediency of the Act; and when it was in its passage through the House, it was then that Members ought to have proposed their views respecting admitting the Honourable Member for Clare, though even then he should have felt it his duty to negative such a proposition. In considering the case of Mr. O'Connell, the House ought not to lose sight of general principles. Suppose at the election for Clare Mr. O'Connell had not stood forward as a candidate, relying upon his own knowledge of his incapacity to be elected; let the House imagine that the present Bill had enabled whoever had stood the election to take his seat, would not Mr. O'Connell in that case have been the first to complain with his powerful talents of the injury done him? [The Honourable Member then went into some arguments upon the constructions of the Act.] In construing an Act of Parliament, it was necessary to ask what had been the intention of the law-giver in enacting it. If any Member argued that its meaning was doubtful, the question would naturally be put to him, "Why did you allow it to pass in this doubtful state?" Let not the House violate a law which they had just passed. This would throw an air of ridicule upon the Legislature. It would be expedient to admit the Member for Clare; but when the House was called upon to interpret the law, it ought not to be influenced by motives of expediency. It would be a burlesque to adopt a construction of the law, merely because it agreed with the feelings of any Members. Let the House adopt some other mode of accomplishing its desires, than that of giving a forced construction to an Act of Parliament. He would refer to an observation made one hundred and fifty years ago, by an eminent legal authority. He said, "A new law might sit heavy upon some particular person, in some extraordinary case, let whatever care he taken in the passing of it. It is enough to commend a law, if it be beneficial to great numbers and for the public good. A mis-

chief was when a few men suffered by a law useful to the public; and an inconvenience was to have a public law mis-obeyed. No man exercising a sound judgment could vote against a law so clear, to suit his inclination. He should be sorry if anything he said could tend to disturb the feelings of harmony now existing in Ireland. He certainly had heard some little doubts thrown out by the opponents of his Hon. Friend's Motion, and those, too, by some very able men on the other side of this House; but he felt satisfied that the positive argument was decidedly the other way, and he should therefore vote in favour of the Motion of his Hon. and Learned Friend, the Solicitor-General.

Mr. Brougham was ready to admit that his Hon. and Learned Friend, who had just sat down, had discussed the question in a calm, temperate, and dispassionate manner, but he could not agree with him in thinking that there had been urged only some little doubts on the part of those who opposed the Motion, while all the positive arguments and facts were on the other side. He called upon the House to consider the doubts—the grave and serious doubts which did exist upon the question—doubts which were not lightly raised for the purpose of catching votes, but doubts of a full, fair, and candid description as to the proper construction of a statute which, it was contended, excluded the Honourable Member for Clare from taking his seat in that House. Now, he (Mr. Brougham) was of opinion, that if there did exist a doubt (and it was admitted on all hands that there did), the Hon. Member for Clare was entitled to the benefit of it; and this at once settled the question. He would humbly take upon himself to presume to say that there was not a Member in that House—no matter how long his standing—no matter how intimate with its forms and regulations—no matter how great his knowledge, learning, and sagacity—who need be ashamed to acknowledge that he entertained doubt and difficulty upon this question after the arguments which had been heard in the course of that evening's discussion. He had indeed heard it indirectly

stated that there were in the House some Hon. Members who were above entertaining a doubt upon the question, and who were ready to vote upon it; and God knows who were the men by whom the strongest doubts were expressed upon it. His Hon. and Learned Friend, the Member for Peterborough, who had spent years, he might say a whole life, in dealing with questions of doubt and difficulty—a man who was confessedly, and by general consent, at the very head of a profession, the business of which was to solve doubt, and reconcile and explain difficulties—that Hon. and Learned Gentleman had told them (and it was not assertion merely, for he had stated how and why) that his mind laboured under such a difficulty upon the question, that he feared coming to such a discussion at all. His Right Hon Friend introduced argument after argument in order to shew the difficulty of the question; he quoted points, which though contradictory in themselves, still when brought together, and weighed as a whole, would, he feared, lead him to a decision which he should much regret. An Honourable Member who has been in the habit of weighing and nicely discriminating all Parliamentary questions, told them that he entertained doubts upon it; as he feared the difficulty on the one hand, would lead to greater difficulty on the other, he was prepared to vote in favour of the admission of Mr. O'Connell. He doubting as he did, felt those facts and arguments which ought to induce them to pause, and not come to a hasty decision against that Gentleman. He admitted the weight of the arguments used by Honourable and Learned Gentlemen on the other side, but he confessed that the two Solicitors-General opposite, did not in his view of the case, succeed in removing the difficulties raised by his Honourable Friend behind him. Let them inquire how the case stood. And first, he would observe, that the main argument upon which Mr. O'Connell mainly relied was left wholly untouched; it was passed over with a single word, as if it was a quibble—as if it was unworthy of an answer—and yet he was declared incapable of taking his seat. The argument was this; that by

the Act of Union it was provided that no persons should sit in Parliament without taking the usual oaths, until Parliament provided other regulations on the subject. There was no question of pains and penalties. This part of the question had been so triumphantly settled by his Honourable and Learned Friend, the Member for Peterborough, that he should feel ashamed to trouble the House with a single observation upon it. But the question for their consideration was, had Parliament come to any other regulation by which persons sat in Parliament without taking the oaths contained in the Act of Union? He contended that it had. The late Act provided certain other oaths and forms, particularly as to declarations, which enabled persons before excluded to sit under the new law. From the passing of that Act all was changed—all was new; and those who could not take their seats before might take them now. The contrary, however, was contended; and the objection was confined to one individual, although he was entitled to his seat under the Act of Union coupled with the late Act. If this were not so, what was the meaning of the oaths prescribed by the Act of Union, "until Parliament provided some other regulation?" They had all heard the able and manly, though modest and unobstrusive manner in which Mr. O'Connell had urged his claims at the Bar. That argument, he (Mr. Brougham) contended, had not been touched. His Hon. and Learned Friend over the way appeared to have mistaken the argument. He contended that the Act was altogether prospective; if this were so, many of his (Mr. Brougham's) doubts and difficulties would be removed; but such, he contended, was not the fact. The Hon. Member for Weymouth, who had argued this question with such ingenuity, would find considerable difficulty in reconciling the differences in certain Acts to which he alluded. It was quite natural that the Hon. and Learned Gentleman should wish to do so—if he could—he might try to do it, and he might think he had done so; but he should remember he had another party to satisfy, namely, the Legislature by whom these Acts were framed. They all knew—and he was sorry to make the admission, but

such was the fact—that there were clauses in certain Acts of Parliament which the greatest acuteness, the greatest ability, could not reconcile; and why? Because it was impossible to reconcile a contradiction. He did not think such was the case in the present Acts; it was, perhaps, possible to reconcile their contradictions. All he pretended to assert was, that the mode of reconciling them had not yet been pointed out by the Hon. and Learned Gentleman opposite. He was aware that the inquiry produced by the Law officers of the Crown had been constructed by the Honourable and Learned Gentleman with as much calmness and temper as persons placed in their situation were able to bring to it. If the House had to deal with an Act of Parliament which had been framed 150 years ago, little difficulty would be found in dealing with it. But when the men were living by whom an Act was framed, it must be expected that they entertained an allowable feeling in its favour; for no man liked to strangle his own bantling. Persons so placed might, therefore, in the language of the Hon. and Learned Gentleman opposite, support a Bill, although he admitted the existence of some little doubts against it. He did not consider the late Act as a prospective measure; neither did he consider it to be a retrospective measure; he looked upon it as partly the one, and partly the other. But the Bill did not say which part was prospective, and what part was retrospective; so that they were left to find their way in the dark as to the application of the different parts of the Bill. That Mr. O'Connell's case was not provided for, was the argument of all. Well, if that case be provided for by one part of the Bill, it was their duty to inquire whether it was not provided for by another part of it. And he would ask whether his right of admission was not provided for by the preamble and by the title of the Bill? The Solicitor-General had, in the course of his speech, shewn enough to shew that Mr. O'Connell's case was at least within the spirit of the late Act. Mr. Sugden did not go so far, and here the difficulty of the question becomes increased—for if two men, tending to the same point, and having the same object, differ as to the course, surely the

doubts of third parties must be increased on the subject. His Hon. and Learned Friend, the Member for Peterborough, doubted on the subject, but agreed with the Hon. Member for Weymouth. According to the admission of the Solicitor-General, the 10th section of the Act would admit Mr. O'Connell, if it were not for the provisions of the sections which preceded it; but in the nine preceding sections, there was no provision respecting that Gentleman, and therefore, according to the Hon. and Learned Gentleman, Mr. O'Connell had a right to his seat under the 10th section. He would be as sorry as any man to introduce into this question any matter which did not lead to the spirit of the inquiry—he felt that it was a legal question, and that they were bound to act judicially upon it. But he called upon them to take into their consideration the mischief that would accrue to the individual if not allowed to take his seat? And again, what mischief could arise from extending to him the benefit of that doubt? It was a single case, and one which by possibility never could come again. This would be taken into consideration in a Court of Law; there was not a Court into which a penal statute was introduced but would weigh the arguments he had just urged. It was not his intention to follow the Honourable and Learned Gentleman through the paths in which he had trodden in his eloquent address; he wished to deal shortly and fairly with the question; he wished to treat it as the Honourable and Learned Member for Clare had treated it—that was, without declamation, without passion. He would put it to the House whether, even if they knew it to be the secret intention of the Legislature, though not openly avowed, to exclude Mr. O'Connell from the provisions of this Bill, they could act upon that knowledge on the present occasion? This they could not know, for it was not the fact; but supposing it so, still he maintained that they were bound to construe it according to the expressions it contained. But he would go a little further. If the Bill contained three or four additional words which provided that the Bill should not extend to those who were elected before it was passed, in that

case there could be no doubt— no difficulty, and Mr. O'Connell could never have dreamt of taking his seat. In the construction of records in Courts of Law, if it was found that two or three words, which, if inserted, would fully explain the document, were found wanting—the Court, instead of supplying the meaning, held it as an additional objection, and thus the difficulty was increased. The omission in question had he believed, been felt in the other House; and it was proposed—he knew not whether by a Lord or a Layman—to remedy it; but the remedy was rejected. The Honourable and Learned Gentleman said, in conclusion, that as this omission increased the difficulty and doubt, he was prepared to give Mr. O'Connell the benefit of that doubt.

Mr. Secretary Peel said, that upon a question of doubt, an individual who had not had the benefit of a professional education must naturally feel inclined to express his opinions with diffidence. But as those persons who were so placed were not relieved from the necessity of forming an opinion upon such question, he should deal with it as he did with other questions, hoping that there was nothing presumptuous in offering himself to the House upon it. He had formed his opinion with the more satisfaction to himself, because, though he did not undervalue the law authorities who differed from him he felt himself supported by the opinions of three of the most eminent authorities at the bar—his Honourable and Learned Friend on his right, the Honourable and Learned Member for Peterborough, and his Honourable and Learned Friend the Member for Weymouth. He was not however, prepared to make the cencessions made by some of his Hon. and Learned Friends. He did not believe that the Oaths of Supremacy and Abjuration were repealed by the Act of William and Mary. On the contrary he believed that such had never been the intention of the framers of that Act. He could not believe, on referring to the obligation contained in the Act of William and Mary, that it was intended by it to grant any relief from taking the oaths. By the 8th chapter of William and Mary, it was very possible that Parliament in-

tended to enforce the taking the oaths before the Lord Steward, as they were constituted by the Act of 1st of William and Mary, and to prescribe the time and place when and where the oaths were to be taken. The words of the 5th section of chapter the 8th were—"And be it further enacted by the authority aforesaid, that all persons (other than such concerning whom other provision shall be made in this or in any other Act of this present Session of Parliament) that shall hereafter be admitted into any office or employment, ecclesiastical or civil, or come into any capacity in respect of, or by reason whereof they should have been obliged by any Statute to take the said abrogated oaths, or either of them, shall take the oaths hereby appointed in such manner, and at such times, before such persons, and in such courts and places as they should or ought to have taken the said former oaths, or either of them, in case the same had not been abrogated as aforesaid; and that every such person who shall neglect or refuse to take the same, shall incur and be liable to the same penalties, forfeitures, disabilities, and incapacities as by any such Statute was appointed for, or upon neglect or refusal to take the said former oaths hereby abrogated, or either of them." He could not help suspecting that it was the intention of the Act of William and Mary to provide for the administration of the oaths to Members, intending to serve in future Parliaments, and for administration of the oaths before the officer of the Crown, the Lord Steward. If it were not, as a new Parliament was assembled soon after, it was not to be doubted that some individual or other would have declaimed against the oaths, and if the Act had admitted of any legal doubts, somebody would have claimed the benefit of them. In 1689, a few months after passing the Act, there was a new Parliament—that was before the expiration of the year. If it were intended to found an argument on the fact of its not being originally required to take the oaths before the Lord Steward, some records of individuals refusing to take the oaths would be found. If that were the case, was it possible that the Journal of the House of Commons for March 20, 1689, should have an entry, describ-

ing the coming into the House of the Earl of Devonshire, the Lord Steward, and he there administering the oaths to several Members? The same entry stated, that he appointed a Commission of Members to administer the oaths to the remaining Members; and after which they were to proceed to the election of a Speaker. It was clear, therefore, that in 1688, it was acknowledged to be the duty of the Members to take the oaths before the Lord Steward; for the Lord Steward even appointed Deputies to administer them in his absence. The Lord Steward, it was admitted, in 1689 had to administer the oaths, as by the other Statutes, and it was not reasonable to suppose that, in so short a time after the passing of the first Act, the Legislature had the intention of repealing the oaths. The Hon. and Learned Gentleman who spoke last, contended that if there were any doubts—that if the reasons were equiponderant, it was proper to give the individual the benefit of the doubts who was claiming the privilege at the hands of Parliament. If this case were a question before a Court of Justice; if it were as to the infliction of a penalty, he should be ready to admit the propriety of this principle, and would give the benefit of the doubt to the individual. But the question related to the privileges of Parliament, not to the rights of individuals. The House was bound to decide by the strict construction of the law, without any reference to the Hon. Member claiming the privilege, and without any reference to considerations of expediency or convenience. It was then too late to discuss the merits or wisdom of the law which made Mr. O'Connell's case an exception to its general provisions. That might have been contended when the Bill was passing; he might then have been brought within the operation of the Relief Bill; but he was not, and therefore all the House had to do was to construe the Act by all the common rules of construing any other Act of Parliament. It might have been proposed to give Mr. O'Connell the benefit of the Act, but it was then too late. In coming to a decision it was painful to be obliged to disclaim all personal motives and all personal feelings. He had no personal feelings—it was not possible he

should have; and he looked on it—if he might make the distinction—as the case of an individual, but not a personal case. Mr. O'Connell was, undoubtedly the only individual who could be in such circumstances; but if the case had been that of the Member for Horsham (Lord Surrey), instead of the Member for Clare, he should have acted on precisely the same principles, and in the same manner. He contended that the Act was wholly prospective, and Mr. O'Connell professing the Roman Catholic religion was disqualified by the operation of the Law to sit in Parliament when he was elected. This fact was well known to the Honourable Member for Clare, and he presumed it was also known to his constituents when they returned him: There was nothing unjust in saying to him, your title is defective under the former law, but "You are not deprived of any of the advantages of the new law." The law for repealing the Act against Transubstantiation did not make Mr. O'Connell's case worse; it left him where he was, subject to take the oaths which he was subject to take at the time of his election. In all other cases officers were bound to take those oaths that were in force when they were elected or appointed. There was nothing whatever in that part of Mr. O'Connell's argument which went to shew that an act of injustice was done to him. He asked them not for an act of justice, but to go out of their way to pass an Act of grace and favour to allow him to come into Parliament without taking the oaths that were ordered to be taken by Roman Catholics at the time he was elected, and he asked to have the benefit of an Act of Parliament that was not in existence at the period of his election. The Hon. and Learned Gentleman who spoke last, seemed to think there was great force in that argument of Mr. O'Connell's, which stated that the House of Commons was not competent, by the Act of Union, to compel Mr. O'Connell to take the oaths. The Act of Union prescribed that all persons elected to serve in any future Parliament, should take the oaths of Supremacy and Abjuration, &c., till otherwise provided. Mr. O'Connell says, that Parliament has

now otherwise provided, and therefore it is no longer competent to enforce those oaths on him. This was relied on as the strongest argument by Mr. O'Connell, and the Hon. and Learned Gentleman; but, speaking it with all respect, he never heard a more futile argument in his life. Parliament administered the former oaths till otherwise provided. Parliament had made a partial provision for the Roman Catholics, but because it had made that partial alteration, did that obliterate and destroy all former enactments? He would call on the House to look at what such an argument would lead to. If the argument were worth any thing, it would prove that Parliament could not administer these oaths to any Protestant Member, and could not administer any oath at all. The argument must go to that extent, or it was good for nothing; and since the passing of the Relief Bill the Parliament had no power to administer oaths at all. He never heard a more weak argument employed. Another argument used by Mr. O'Connell was, that he was returned after the commencement of the Session, and therefore entitled to the benefit of the Relief Bill.

Mr. Brougham: Mr. O'Connell disclaimed such an interpretation.

Mr. Peel: Mr. O'Connell mentioned it.

Mr. Brougham: Mr. O'Connell only mentioned it as a fact.

Mr. Peel only mentioned it also. When the Enactment was passed he was a Member. Return was a technical term, and signified the Certificate of the Sheriff. The Return was made then before the commencement of the Act; for the Return was dated from the time of the Certificate. The Hon. and Learned Gentleman relied on the proceedings elsewhere, when a Noble Lord (the Lord Chief Justice) had proposed to insert some words as an Amendment, which was overruled. He was quite confident in stating that if Lord Tenterden's Amendment had been carried, it would have made no alteration whatever in Mr. O'Connell's present situation. It would have left the question just where it now stood. If he admitted that the

10th section of the Act, the benefit of which Mr. O'Connell claimed, allowed his introduction into Parliament, he would not be entitled by the second section to sit in Parliament. That section said—" And be it further enacted, that from and after the commencement of this Act, it shall be lawful for any person professing the Roman Catholic religion, being a Peer, or who shall after the commencement of this Act, be returned as a Member of the Commons, to sit and vote in either House of Parliament respectively, being in all other respects duly qualified to sit and vote therein, upon taking and subscribing the oaths stated in the Act of Parliament." He called the attention of the House to the words " duly qualified," which would have left Mr.O'Connell in the same situation as he now stood. The Hon. Member said, that if under the provisions of the Act he might be excluded, yet he could not by the tenth section of the Act, which applied to him. He would not encumber himself with any consideration of the penalties; he would come at once to the Act of Union, which prescribed that the Members of the United Parliament should take the oaths previously prescribed for the Members of the House of Commons; and till they had taken those oaths they could not sit and vote in the Parliament of Great Britain. He did not doubt the competency of Parliament to alter this law, but as long as it existed (and it was in full force at the time of Mr. O'Connell's election), the duty of the Speaker was to enforce it, and compel its observance. What a Court of law might decide on such a subject he knew not; but looking at the matter in a plain common-sense point of view, he should say that the obligation to take the oaths was imposed on every Member of Parliament by the Act of Union. All the House of Commons had to do was, to attend to the injunctions of the Legislature, and enforce the law. With respect to the 10th section of the Relief Act, on which the Hon. Member relied, he contended that, looking not to that section alone, but to it in conjunction with all the rest of the Act, it excluded Mr. O'Connell. The 10th section ran thus—

" And be it enacted, that it shall be lawful for any of his

Majesty's subjects professing the Roman Catholic Religion, to hold, exercise, and enjoy all civil and military offices and places of trust or profit under his Majesty, his heirs and successors, and to exercise, any other franchise or civil right, except as hereinafter excepted, upon taking and subscribing, at the times and in the manner hereinafter mentioned, the oath hereinbefore appointed and set forth, instead of the oaths of Allegiance, Supremacy, and Abjuration, and instead of such other oath or oaths, as are or may be now by law required to be taken for the purpose aforesaid by any of his Majesty's subjects professing the Roman Catholic Religion."

It was undoubtedly the intention of the Legislature, by this section, to enable Roman Catholics to sit in Parliament; but the whole must be taken together, and the first section of the Act ran thus:—"Whereas by various Acts of Parliament, certain restraints and disabilities are imposed on the Roman Catholic subjects of his Majesty, to which other subjects of his Majesty are not liable: and whereas it is expedient that such restraints and disabilities shall be from henceforth discontinued: and whereas by various Acts, certain Oaths and certain Declarations, commonly called the Declaration against Transubstantiation, and the Declaration against Transubstantiation and the Invocation of Saints, and the Sacrifice of the Mass as practised in the Church of Rome, are or may be required to be taken, made, and subscribed, by the subjects of his Majesty, as qualifications for sitting and voting in Parliament, and for the enjoyment of certain offices, franchises, and civil rights: Be it enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that from and after the commencement of this Act, all such parts of the said Acts as require the said Declaration, or either of them to be made or subscribed by any of his Majesty's subjects as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of an office, franchise, or civil right, be and the same are (save as hereinafter provided and excepted)

hereby repealed." He contended that the words civil rights, used in conjunction with the words sitting and voting between them, were intended to draw a distinction between them, and sufficient to entitle him to say, that by the omission of the words sitting in Parliament, in the 10th sec., that Section did not give to Mr. O'Connell the rights he claimed. The 10th Section did not confer the right of sitting and voting in Parliament. If Parliament had not meant to exclude Mr. O'Connell from Parliament, which it did, his case would have been provided for as the case of Catholic Peers was provided for by the 4th Section of the Act—"Provided always, and be it further enacted, that no Peer, professing the Roman Catholic religion, and no person professing the Roman Catholic religion, who shall be returned as Member of the House of Commons, after the commencement of this Act, shall be capable of sitting or voting in either House of Parliament respectively, unless he shall first take and subscribe the Oath hereinbefore appointed and set forth, before the same persons, at the same time and places, and in the same manner, as the Oaths and Declarations now required by law are respectively directed to be taken, made, and subscribed." Why, he would ask, were any distinction made between Peers and Members of the House of Commons? and why did the Clause provide for Members of the House of Commons, elected after the commencement of the Act, but to impose on them the obligation of the new Oaths, without releasing those who were elected before the Act from the obligation of the former Oaths? By the second Section of the law, no provision was made for Roman Catholics taking the Oaths according to the 10th section. It was proved by the 20th section of the Act, that it was wholly prospective, and not retrospective. The Act applied to persons who "shall, after the commencement of this Act, be appointed to any office," &c., and of course did not apply to Mr. O'Connell, who was elected before the Act. On the whole, looking at the construction of the Act—looking at all its enactments —considering it in its various provisions, he was bound to say that this Act was intended to exclude Mr. O'Connell; and

under that impression he was prepared to act, and must vote for the Resolution.

The House then divided on the original motion, when the numbers—Ayes 190: Noes 116:—Majority 74.

The Solicitor-General then proposed—"That Mr. O'Connell should now be called to the Bar and informed of the decision of the House, and should then have the oaths tendered to him.

Mr. Brougham thought such a course would be inconvenient and after some conversation on the subject,

Mr. Peel said, that the object of his Hon. and Learned Friend was to give the Hon. Member for Clare the opportunity of taking the oaths required, if he should so think fit, before any ulterior measure was resorted to. He proceeded on the belief that the Honourable Member might have refused to take certain oaths only while he supposed there was a chance of his being admitted on taking other oaths. It was in that view, therefore, that it was now proposed to communicate the Resolution of the House to Mr. O'Connell, although his refusal already existed on the Records of the House. Perhaps that object would be best attained by altering the time for communicating the Resolution; and he should, therefore, move, as an Amendment—"That Mr. O'Connell be ordered to attend at the Bar, at twelve o'clock to-morrow, that the Resolution of the House should be then communicated to him, and that the oaths should be again tendered to him to take."

This Amendment was put and agreed to.

On the 19th the case of Mr. O'Connell took precedence of all others in the House of Commons, and the interest which it excited both in and out of the House, appeared to increase as the proceedings were drawing to a termination, the intention of excluding him was manifest, by every step which the Ministers took, it was indeed the point which they kept in view from the beginning, as the whole of the proceedings will testify. It was obvious to all persons of any discernment, that Ministers were not indifferent to the issue, but they nevertheless presented themselves before the public, with the

most imposing gravity, as if all they had at heart was to see justice done to Mr. O'Connell and no little pains had been taken to influence the oaths.

The question was however nearly brought to a conclusion on the 19th when the Solicitor-General moved that the Order for the further attendance of Mr. O'Connell at the Bar be read.

The Order having been read.

The Solicitor-General moved that Mr. O'Connell be now called in.

Mr. S. Rice said, that before that Motion was carried he wished to ask the Honourable and Learned Gentleman opposite, a question, which, if not altogether improper, he hoped he would perceive the convenience of answering at the present stage of the proceedings. He wished to ask the Honourable and Learned Gentleman the nature of the ulterior proceedings to which he alluded on a former evening, in the event of Mr. O'Connell's refusing to take the Oath of Supremacy? He was anxious to know this, as it would, in some measure, guide him in the course which he meant to pursue.

The Solicitor-General felt no difficulty in answering the Honourable Member. His intention was, in the event of Mr. O'Connell's refusing to take the Oath of Supremacy, to move, that a New Writ be issued for the Election of a Knight of the Shire to Represent the County of Clare, who had vacated his seat by such refusal.

Mr. S. Rice wished to take that opportunity of giving notice that upon that Motion being put, he would move, as an Amendment, for leave to bring in a Bill to amend the Law as related to the Oaths contained in the Roman Catholic Relief Bill.

Lord John Russell, not having been able to attend the House last night, was not able to state exactly what was the course of their proceedings ; but he understood that Mr. O'Connell had been called in and asked if he would take the Oath of Supremacy. Now it appeared to his Lordship, that this was departing from the usual course adopted on the

swearing in of Members; it was going back to form a precedent, and that too in a very inconvenient manner, as a Member should only be asked questions at the Table.

The Solicitor-General said, that pursuant to the Resolution of the House, Mr. O'Connell was called to the Bar and asked if he would take the Oath of Supremacy; and if he refused to do so at the Bar, it would be an idle and useless ceremony to ask him the same question again at the Table. He therefore felt it his duty to move the new Writ.

Lord John Russell repeated, that an answer given by a Member at the Bar could not be considered as a refusal to take the Oaths. He should be questioned at the Table.

The Solicitor-General said, the Hon. and Learned Member for Clare had already refused to take the Oath, and the present course was only for the purpose of rendering the proceeding more satisfactory.

The Speaker directed the Serjeant at Arms to inquire whether Mr. O'Connell was in attendance.

The Serjeant at Arms replied in the affirmative.

The Speaker directed that he be called in.

Mr. O'Connell entered the House, and immediately placed himself at the bar.

Mr. Speaker then said: Mr. O'Connell, I am directed by this House to communicate to you two resolutions to which the House came last night. The first is, "That it is the opinion of this House that Mr. O'Connell having been returned a Member of that House before the commencement of the Act passed in this Session of Parliament, 'for the Relief of his Majesty's Roman Catholic Subjects,' is not entitled to sit or vote in this House, unless he first take the oath of Supremacy." The next Resolution is "That Mr. O'Connell do attend the House this day, and that Mr. Speaker do then communicate to him the said Resolution, and ask him whether he will take the Oath of Supremacy?" In obedience to those Resolutions, I now ask you if you are willing to take that oath?

Mr. O'Connell: I wish to see that oath (after a short pause.)—I wish to see that oath.

The oath was handed to the Honourable and Learned Member, who, after looking attentively over it, said, "There is one assertion in this oath which I do not know to be true; there is another assertion in it which I believe not to be true. I cannot, therefore, take this oath."

The Speaker: You may withdraw.

Mr. O'Connell bowed and withdrew.

The Solicitor General said the Resolution which he was now about to move, was founded on various precedents. When a party, was called upon to take certain oaths, to enable him to take his seat, and refused to take them, the uniform course had been to move a new writ immediately, and the Motion was always complied with. I say, Sir, said the Solicitor-General, that Mr. O'Connell's refusal to take the Oath of Supremacy has caused a vacancy in the representation of the County of Clare, and I therefore move—"That a new Writ be issued for the election of a Knight of the Shire for that County, in the room of Mr. O'Connell, who has vacated his seat by refusing to take the Oath of Supremacy, he having been elected before the enactment of the recent Bill, passed for the Relief of his Majesty's Roman Catholic subjects."

Mr. W. W. Wynn said, that he was anxious, before Mr. Rice proposed his Amendment, to point out to the House a Clause in the Catholic Relief Bill, which he conceived formed an additional reason why the Motion for a New Writ might safely be delayed. The Clause was as follows:—"That after the commencement of this Act a Session for the purpose of registering Freeholds within this Act, shall be holden in and for each County in Ireland, by, and before the Assistant Barrister of such County, on such days, and at such places, in each of such Counties respectively, as the Lord Lieutenant, or other Chief Governor, or Governors of Ireland shall appoint; and the Clerk of the Peace for each County shall, forty days at the least before the day so appointed for such County, cause to be posted in each market-town therein, notices in the form

specified in the first Schedule to this Act annexed—that such Session for the purpose of registering Freeholds within this Act, will be holden on the days, and at the places so appointed, and that applications for that purpose will be then and there taken into consideration."

Mr. Secretary Peel was aware of the Clause alluded to, and admitted that the question, whether the Speaker should issue a new writ, or direct his warrant to the Clerk of the Crown, who would, of course, take care and act according to law in issuing the writ, and if he delayed issuing it, and thereby was guilty of disobedience to the Speaker—if disobedience he might call it—still he would be borne out by the law. This being the state of the law, and there was no inconsistency in it, or, if there were, it could easily be cured by an order of the House, that the Speaker do not issue his warrant until the Clerk of the Crown could legally carry it into effect forthwith.

Mr. W. W. Wynn thought that there were two courses to be pursued. Either the Speaker might issue his writ as soon as the notice appeared in *The Gazette* in Dublin, or he might issue his warrant to the Clerk of the Crown, as soon as it could be legally acted upon.

Mr. Portman put it to his Hon. and Learned Friend, whether he felt inclined to press his Motion against the opinion of so many Hon. Members. He considered this one of the most important steps they could take, and were they to enter upon it without notice? The Honourable Member for Limerick had certainly given a notice, but it was a notice of about half an hour. No Honourable Member could be prepared to discuss so important a question on the instant, and without information. He did think that the further discussion ought to be postponed to Friday next.

The Solicitor-General observed, that if this were a subject entirely new to the Honourable Members, and that no time for consideration had been given upon it, the proposal for delay ought to be complied with. But Honourable Members had

the Journals constantly before them, and with such an advantage he did not think any Honourable Member could doubt the conclusion to which he ought to come as to the course of proceeding to be adopted

Sir J. Mackintosh said there was no procedent applicable to this peculiar question; for in all the cases in which it had become necessary to issue New Writs, the Warrant of the Speaker met with immediate obedience, But here there was no reason at all for immediate issue of the Writ, and therefore it might be delayed until it could be obeyed. Unless some case was pointed out to him which formed a hypothetical precedent, he would say that the course proposed by the Solicitor-General would be a departure from, not an adherence to, the usage of Parliament.

Mr. Secretary Peel thought there was good ground for their proceeding to some notice of this measure at present. He would put a case— suppose Parliament were to be prorogued before the issuing of the Writ, then the county of Clare would remain unrepresented.

Mr. Huskisson said it appeared to him not that the warrant should not issue at all at present, but that it shall not issue in the usual form. With respect to the delay, the House should recollect that time was given upon what appeared to him a less important question—namely, whether Mr. O'Connell should be heard at the Table or at the Bar. He thought a delay of at least 24 hours necessary.

Mr. Portman moved that the further discussion of the Solicitor-General's Motion should be adjourned to Thursday, the 21st.

On that day the Solicitor-General moved the order of the day for resuming the adjourned debate, and then said that it would be in the recollection of the House, that on the former occasion when this subject was under the consideration of the House, doubts existed in the minds of some Hon. Members, to whose judgment great deference was due, whether the resolutions he had proposed ought not to have reference at once to the provisions of the recently enacted Statute. With a view

to meet those doubts, he now requested leave of the House to withdraw his motion for the purpose of adding a few words, making the issuing of the new writ subject to the provisions of the Statute. He trusted that the House would find no difficulty in granting him this leave; and he should, therefore, move to withdraw the resolution, and then to present it again to the House with the addition he had mentioned.

Mr. S. Rice said, that in pursuance of the notice he had given, he rose for the purpose of moving an Amendment, both to what was now proposed, and to the proposition that had been formerly made. He must take the liberty earnestly of entreating the kind indulgence of the House in affording him its best attention; for he could assure them, that no individual had ever felt so deeply the necessity of asking for an indulgence of that nature, although no individual ever felt more confident that if it appeared to the British House of Commons that what he did was done in the discharge of a great duty; of a duty imposed on him; however they might differ from him, or however they might feel inclined to oppose his motion, he was confident they would afford him the indulgence he prayed, and they would afford it him if they felt he was discharging a duty, although in discharging that duty he might trespass somewhat on their time and attention. Before he went into his argument, which he should take the liberty of doing at some length; he wished to state, in the first instance, that the motion he was about to make was wholly unconnected with the individual whose name was mentioned in it; he meant to say, that it neither proceeded from the suggestion of that individual, nor had there been regarding it any communication, direct or indirect on his (Mr. Rice's) own part, or on the part of any individual he was connected with, and at that moment he did not know what were the feelings and wishes of that individual on the subject. He need only further say that it was a motion unconnected with any species of party feeling. The events which characterised the application to that House the manner in which that application had been treated, namely, as purely a judicial case; the events which had recently oc-

curred, shewed that it was not to be considered as a measure of party. On the contrary, he was ready to admit, that whilst he was discharging this duty, he felt that it was strictly a personal duty, and in the same manner that he was strictly responsible for it. There was no individual in that House more ready to express, as an Irishman, the obligations he owed the Government for the measure they had lately carried through Parliament. It was not therefore in hostility to them, but as he had before stated, with reference to Ireland, with reference to the tranquillity of the country, and with reference to the due execution of the law which had been passed; with reference to the respect, the House, the Government, and the Legislature were entitled to claim in Ireland, that he made the motion. It was not necessary for the purposes of the argument that he should go into the Relief Bill. He admitted, for the sake of the argument, that the effect of that Bill must be taken for granted. He would not question the decision of a majority of that House that, under the provisions of the Law, Mr. O'Connell having refused to take the oaths, was ineligible to sit at that moment as a Member there. The question he should raise was founded on that proposition; and he trusted that when Hon. Members came to consider the case, they would find that, although they were right in affirming, as they had done, under a given state of the Law, that Mr. O'Connell was not entitled to a seat, they might be disposed to say that the state of the Law called for redress. That was his measure, and to that measure he hoped for their assent. He should not have brought forward this motion at all, but for the motion of the Hon. and Learned Gentleman. What he should recommend was not, he admitted, good *per se*, but it was a measure better, on grounds of public expediency, than the motion which was made by the Hon. and Learned Gentleman. Before he applied himself to this question, he would refer to an occurrence which took place in the Committee on the Roman Catholic Relief Bill, to which reference had been made, and to which he felt it his duty to allude. Honourable Gentlemen would recollect that, in the Committee

on that Bill, the Hon. Member for Dublin, seeing what would be the consequence of the Bill as it then stood, suggested the propriety of amending that particular clause of the Bill which applied to Roman Catholic Members of Parliament who had been elected before that Bill was brought in; a clause which applied specifically, though not in terms, to Mr. O'Connell. On that occasion he (Mr. Rice) stated on the part of Mr. O'Connell, that he did not wish any question personal to himself to be introduced on the passing of that Bill, which might be calculated to injure the effect or arrest the progress of that measure, from which he anticipated so much benefit to the country. He believed he was correct, but it was in the recollection of those who attended to what might fall from so humble an individual as himself; and he might say, that on that occasion he spoke for another, and expressed no opinion directly or indirectly on his own behalf; and as that was a point which might be mistaken, but ought not to be misrepresented, he would take the liberty of repeating what a Right Honourable Friend of his, a Member of the King's Government, had said to him on that occasion. That Right Honourable Gentleman spoke to him on that occasion, and observed with what caution he had made the communication, and had abstained from making any remark whatever; and if Mr. O'Connell was at that time a petitioner at that Bar, seeking relief from the operation of that Bill, the declaration he had made might be stated in bar of his request. But it was not, as he would take the liberty of repeating, only Mr. O'Connell who was concerned in the present proposition—it was a question that related to the peace of Ireland; and no act of Mr. O'Connell, nor of any other man, ought to distract that House from the real issue before them, which was that it was their duty to do that which would convey to the community at large the greatest sum of happiness. To that issue he would proceed to apply his observations; and he now came, in the first instance, to consider the proposition of the Hon. and Learned Gentleman. It was on Tuesday last that, after a protracted debate which took place on reading the Order of

the Day relating to the first refusal of Mr. O'Connell to take the oaths, an Order was made for the attendance of Mr. O'Connell on the day following. He attended, and the Speaker then read to him the Resolution of the House. They had no right to say that Mr. O'Connell had any notice of that Resolution till it was read to him, for he was not in official possesion of that decision of the Parliament until four o'clock; and what ensued afterwards? The Solicitor-General moved that a new writ should issue for the County of Clare; or, in other words, he moved that Mr. O'Connell, who had been declared duly elected, should cease to be a Member of that House, and that there should be a new election for the County of Clare. He could not but complain of the breathless haste which the Solicitor-General had manifested. If he wished for evidence of that, he might refer to what had taken place that night—a matter unexampled in a deliberative assembly, and with reference to a severe determination—namely, that the measure which he, as the organ of Government, proposed, on a resumed discussion, was not, in his own view of the matter, fit to be adopted without alteration. With regard to what that proposition had been, there had been many misrepresentations existing out of doors. There were Gentlemen who considered that, as a matter of course, the refusal of Mr. O'Connell to take the oaths occasioned a vacancy, and that a new writ must of course be granted. The Solicitor-General, however, would not contend for that proposition; he admitted that it was different from the case of one who had sat and voted, in which case the seat would be at once vacated, and a new writ must issue. If what was now proposed was to be justified at all, it was to be justified solely by the will and pleasure of that House, for certainly there was no statute whatever which called on them to adopt it. The House had the power to act upon it, but to do so or not to do so was completely within their own province. The Solicitor-General, in making that proposition, had not stated one argument in recommendation of it; and it stood before them as a naked proposition, put from the Chair, on the motion of an Hon. Member.

It was founded simply on the precedent afforded by the case of Mr. Archdale. He admitted all that that precedent could prove; he acknowledged that it was the right of that House, under circumstances similar to those which occurred in that case, to direct the issue of a new writ, but the Solicitor-General had not said that it was imperative on them to do so. It was matter of expediency; and being matter of expediency, it was for that House to judge whether it was advisable for them to adopt the course now recommended. He said that the case of Mr. Archdale was the only one applicable to the present subject. The cases of Sir H. Monson and of Lord Fanshawe were totally and entirely within a different principle. That Noble Lord and that Honourable Gentleman were at the time Members of Parliament, had sat and voted in that character, and were subject to that House to call on them to take the oaths. The whole proceeding was one of a different cast from the present. The only case that did apply was that of Mr. Archdale, which came within the rule that was laid down for the case of Mr. O'Connell. He admitted that the proceeding might be justified as to their power to adopt it; and the only question was as to its policy and expediency. He could wish that the measure rested solely on the declaration of the House, that Mr. O'Connell could not take his seat without taking the oaths. What was the case in this instance? Mr. O'Connell might have been permitted to exercise his discretion whether he would or not accept the Chiltern Hundreds; but no such opportunity was afforded him. For the first time, at four o'clock in the afternoon, he heard that the House had decided against his right to take his seat; and at five minutes after four o'clock a new writ was moved for. It had been said that the suspension of the issuing of a new writ was open to many objections; that it was the first necessity and duty of the House to fill up the vacancy that had occurred. To those who felt the weight of that duty the proposition he should make was open to no objection. He proposed that they should take the obviously simple mode of getting over the difficulty by admitting the individual who had been returned.

He saw no great force in the argument as to filling up the number of Members in that House, unless the electors of Clare applied to that House, and said they were unrepresented, and called on that House to issue a new writ for a new election. But they had done no such thing; and, if he mistook not, the electors of Clare had been accustomed to be unrepresented. If the doctrine of the fulness of the House rendered a new writ necessary, it was competent to a majority of that House to enforce obedience to that necessity. But such a necessity had not always been observed and obeyed. On one occasion a Gentleman, who had been appointed to a high office in the Colonies, represented that County [no, no, from the Ministerial Bench]. That Gentleman had the appointment at least [no no]; but if he was wrong in that instance, the Right Honourable Gentleman must know that the County was represented by a Right Hon. Friend of his (Mr. Rice,) who, during the same period, was an Ambassador at the Court of Stockholm. If by a Call of the House, the absence of the Honourable Member for Clare had been brought before them, it would have been their duty to notice it; if there had been a complaint made by his Constituents, then also it might fairly have been brought forward; but he (Mr. Spring Rice) objected to the proposition of the Solicitor-General, because, under the circumstances, it would, in point of fact, bring the House into contact with a single individual, and compel them to run the risk of making Mr. O'Connell a political martyr, and of again plunging Ireland into discord and distraction. Who was the Honourable Gentleman, he would ask, whom they had to deal with? That was a question which Mr. O'Connell himself asked the House, in that Address which had produced so deep an impression upon them. That Honourable Gentleman inquired, what was the House disposed to do with him? He would not repeat that question; but he would ask, who was Mr. O'Connell? How were they called on to deal with him? Was he a single individual, not connected with the sympathy of the majority of the religious

community to which he belonged? Was it merely the freeholders of the County of Clare that were interested in him as a Representative? That House would shew itself to be in a state of ignorance if it supposed, in fact, such to be the case. Mr. O'Connell, it was true, was the Representative of the county of Clare, but he was viewed as the representative of the feeling, sympathies, and interests of the whole Catholic people of Ireland, who as one man would feel whatever affected him individually. The Right Honourable Gentleman, he perceived, dissented from what he was saying; but he would ask whether there was an Irishman in the House that did not know that this question was a question of the greatest importance, and that from the highest to the lowest there was not one single Roman Catholic in Ireland who did not feel as deep an interest in it as any constituent of Mr. O'Connell? The House had heard much of the state of agitation which had prevailed in Ireland, and they had heard it suggested, as a ground for the remedial measure since adopted; and various proofs and statements, official and otherwise, had been laid before the House, to prove the evils and dangers that had arisen from that agitation. He called upon the House seriously to consider whether the step they were now called upon to take had not a direct tendency to reproduce, whether —for he would say it—it must not, and ought not to reproduce that very result which every good man wished to avoid. They had passed three Bills in the course of the present Session, to which more importance was attached, and more Parliamentary attention given, than to any measure that ever was before the House. But if they agreed to issue a new writ for the county of Clare, they would undo all advantages they had conferred. By forcing on a new election in the county of Clare, they would raise the very same scaffolding which they had taken so much pains to destroy. Instead of the Association, there would be a Committee sitting in Dublin for the return of Mr. O'Connell; and in that course they would be justified by the vote that House was asked to pass that evening. He said

again, the Roman Catholics of Ireland would be justified; for if any of them was indifferent to the return of Mr. O'Connell again, should his seat be declared vacant, that individual could have no true feeling of gratitude to the man who had fought his battles, and by whose instrumentality the Catholics ought not perhaps to have succeeded, though they really did so succeed. He would take the liberty, on behalf of the friends of the Relief Bill, to claim that the revival of agitation should not be ascribed to the failure of that measure, but to this forced election in the county of Clare. Very different would be the result, if that election, instead of being forced on the county by the House, were brought on by a vacancy created by an act of Mr. O'Connell himself. The Bill which he should ask leave to introduce, would consist of a single clause, enacting that "the Oath to be, in all cases, taken at the Table of the House by Roman Catholic Members, shall be the oath provided in the Relief Bill and no other." He knew the Gallant Officer (General Gascoyne) had also given notice of a Bill, with an apparently similar object; but he did not wish to deceive him into the support of a measure to which he would not be likely to give his assent, It was said by many Hon. Gentlemen that they did not believe it was intended by the Relief Bill to exclude Mr. O'Connell. This opinion was repeated on great authority; and if it were half as general in his own country, he (Mr. S. Rice) would not propose the Bill he wished to introduce. But the people there were not so credulous or ingenuous as his Hon. Friend, the Member for Kirkcudbright, who believed that it was a matter of accident by which Mr. O'Connell was excluded; for he (Mr. S. Rice) drew his conclusion from the enactment itself, which applied to this case alone. He called on those who were disposed to vote against him to shew one inconvenience or suggest one danger which could arise from the admission of Mr. O'Connell into that House. He had shown what, in all probability, the result of a new Election in the County of Clare would be. He did not mean to say there would be any danger to the public peace. The danger he apprehended was the new excite-

ment and the new agitation in Ireland. He did not like to hear Hon. Gentlemen support the proposition of the Solicitor-General on the ground of upholding the dignity of the House; for that was a pretext always used when all other reasons failed. A Right Honourable Gentleman opposite had referred to what had occured in another place, when an Amendment was moved to the Relief Bill, to make it more directly applicable to the case of Mr. O'Connell. That proposition came from a quarter entitled to the highest possible respect; but he called on the House to listen to the answer which was returned by a Noble and Learned Lord, high in his Majesty's Councils: "I would ask your Lordships whether, in a measure of such immense importance, which is said on one side to shake the Constitution to its foundation, and on the other side to be calculated to ensure tranquillity and produce the permanent prosperity of Ireland, it would be advisable for your Lordships to descend from the high station in which the Legislature should stand, in order to make the Act turn against one single individual?" The Honourable Gentleman begged the House not to let the cup of gladness he poisoned by this drop thrown into it, without necessity. He concluded by moving "for leave to bring in a Bill to amend 10th Geo. IV. cap. 7, so far as relates to the oaths to be taken by Members of the House of Commons."

This Amendment was however subsequently withdrawn, and the motion of the Solicitor-General was then agreed to without a division; and a new Writ was ordered for the county of Clare.

The Act which disfranchised the forty-shilling freeholders of Ireland, provided that a new enrolment of the freeholders who still retained a qualification, should take place as soon as possible after the commencement of the Act. This important business was proceeded in with all the dispatch which the forms of the Statute allowed; and the result was a very serious change in the lists of the electors. The notices given of an intention to register, were not so numerous as might have been anticipated, from the hosts of small freeholders who

used to be marched up to the poll. Even of those who gave notice, a large proportion carried the application no farther, conscious that their claims would not bear the strict scrutiny to which they were now to be subjected; and those who came forward to the scrutiny, another large proportion were, in every county, found to be wandering. In many instances, the people displayed no disposition to register, and their landlords had difficulty in bringing them into court. In Cavan 650 notices of enrolment had been given from five baronies; but only 137 claimants presented themselves; and of these only 93 were registered. It was estimated that not more than one-third, even of those who served notices, would succeed in being enrolled. The exclusion of the lower freeholders promised to alter greatly the relation in which the remaining electors would stand to those, who had hitherto commanded the representation.

The strength of the landlords had hitherto lain in the "*fardies;* the lowest class of freeholders now admitted they were not altogether so dependent; and a still more useful consequence seemed likely to be, that as the shoals of the forty-shilling men were now removed, even the ten-pound electors would find it difficult to beat out of the field those who were rated still higher. The mass of unthinking, obedient matter, on which the will of the landlords could operate at pleasure, was greatly diminished; what remained was of a somewhat better quality in itself, and was brought more nearly to a level, with that which might be supposed to have a will of its own. Neither did the new arrangement appear to threaten any injury to the Protestant, in so far as the number of votes was concerned; for, in general, the poorest class of freeholders had contained a much greater proportion of Catholics, than of Protestants; and the former, therefore, were in in comparison the greater losers.

While the registration was going on, Mr. O'Connell was taking measures to secure his re-election for the county of Clare, to which the vote of the House of Commons had sent

him back. As soon as that vote had passed, he addressed the following letter to the electors:—

TO THE ELECTORS OF THE COUNTY OF CLARE.

"The House of Commons have deprived me of the right conferred on me by the people of Clare. They have, in my opinion, unjustly and illegally deprived me of that right, but from their decision there is no appeal, save to the people—I appeal to you

"Electors of the county of Clare, to you is due the glory of converting Peel and conquering Wellington. The last election for Clare is admitted to have been the immediate and irresistible cause of producing the Catholic Relief Bill. You have achieved the religious liberty of Ireland. Another such victory in Clare, and we shall attain the political freedom of our beloved country.

The Catholic religion is liberated from the shackles of oppression. The Protestant religion is liberated from the stain of persecution. The cause which produced Orangeism and Brunswickism are at an end. The Catholics are emancipated and conscience is free.

To the electors of the county of Clare are these happy results mainly and immediately due. But there remain many political and practical grievances and oppressions. There remain many obstacles to the property of our countrymen to the diffusions of capital—to the safety of the poor man's cottage, to the security of the rich man's mansion, in fine, to the comfort, prosperity, and happiness of the Irish people.

Electors of the county of Clare, give me the right and the power to correct these grievances; to remove these obstacles; to abolish oppressive and grinding cesses and county taxes; to repeal the new and most oppressive law respecting subletting, and to procure for the sick and poor a well-regulated provision out of the property of absentees and other proprietors a provision for the poor, to be perfectly free from the insulting debasing and demoralising details of the English poor laws.

The first grievance we have to redress, is the abolition of the forty shilling freehold franchise. I do not think that in the annals of legislation, there ever yet was passed, a law more unjust and groundless than that which destroyed the forty shilling franchise in Ireland; destroyed that franchise for the Catholics, at a period when they had exhibited heroic virtue. It was destroyed for the Catholics, on the mere false accusation of a nominal crime. It was destroyed for the Protestants, with still stronger features of injustice, because the Protestant were not seen accused of any crime.

Return me to Parliament, and I will instantly press this subject on the consideration of the House, until sentiment in England becoming too strong for any oligarchical faction, shall compel the repeal of the Disfranchisement Bill, regulate the future exercise of the elective, so as to give independence and security to the voters.

"If you send me to Parliament, I undertake to demonstrate there, that the abolition of forty shillings franchise is a direct violation of the legislative union between the two countries.

"Again, if you send me to Parliament, I undertake to demonstrate there, that the refusal to allow me to sit and vote was not only an assumption of illegal power under the name of Parliamentary privilege, but was another direct violation of legislative union.

"I now sincerely rejoice that the ministry mixed up my interests with those of the forty shilling freeholders; and when they destroyed the vested rights of more than two hundred thousand registered freeholders, they did me a kindness to fling me into the aristocratic whirlpool, in which they have submerged a living portion of the British constitution.

"Send me to Parliament, and I will assail there the subletting act, I am convinced I shall be able to assail with success that act—an act calculated to make the poor more wretched, and to render the destitute more miserable.

"Send me to Parliament, and I will there assail, and I trust with success, the vestry bill; that most unconstitutional law

which enables a few Protestants to tax, to almost any extent they may fancy, the poverty of the Catholic landholders. Indeed I ought to add, that the Protestants have in many instances, shown a forbearance from using this act oppressively, which does infinite honour to their good sense and humanity. But in many instances, it has been already grievously enforced; and it is in human nature that will, unless repealed or amended produce all its fruits of bitterness.

"Send me to Parliament, and I will there assail, and I think successively, the system of grand jury jobbing, and grand jury assessment, I will then be able to prove to those who ought to give redress, that the taxation of the people by the grand juries, is as oppressive in practice as it is unconstitutional in principle; and it enables the rich man to farm gravel walks near to his demesne, at the expense of the poor, and gives to the influential portion of the aristocracy a dominion over the properties of their fellow-subjects.

"Send me to Parliament, and I will struggle hard to procure a dimiuntion of heavy and illegal exactions and an equitable distribution of the revenues of the established church, between the poor on the one hand, and the most meritorious and really laborious portion of the Protestant clergy on the other, by operating to the deprivation of, at least, part of the enormous wealth of the pampered and overpaid pluralists and dignitaries.

"Send me to Parliament, and I will struggle hard to cleanse the Augean stables of the law; I will devote all my faculties to destroy the tails and nets of form and fiction, in which justice is at present so often entrapped. I will dedicate my life to the glorious work of rendering law, at one, and the same time, all comprehensive and also precise, and intelligible; and in making the administration of that law cheap and expeditious so that the poor may have effectual and ready protection against every species of illegal oppressions, and at the same time the property of the many may become more valuable and secure. My professional habits give me peculiar facilities to attempt, at least, this herculean task; and I will attempt it

with an unchangeable and persevering determination to effectuate this most useful purpose.

" Send me to Parliament, and I undertake to procure laws to protect the property of Protestant dissenters, as well as of Catholics, for all charitable purposes, for the maintenance of their churches and places of worship, of their parochial houses, schools and hospitals, and in particular, to consolidate such a system as may, by means of public and private bounty, procure for every Catholic rector of a parish in Ireland, a parochial house, and an adequate glebe in each parish, transmissible by law to each successor, and protected against all abuse of trust and expense of litigation.

" Send me to Parliament, and I will convince every rational man, and every man possessed of sentiments of religion, of the monstrous injustice attempted to be done to the monastic orders in Ireland, by some clauses in the late law: and I will be the constant advocate of the pious men who devote themselves to God, in singleness of heart and humility of spirit; of those invaluable institutions which give not only literary, but religious and moral education to the poor, and I will challenge enquiry and promulgate the truth respecting that most learned body, the Jesuits, a body of men who have done more for literature and religion than any other society that ever lived. They have produced more scholars, they have furnished more martyrs, they have preached Christianity to more infidel nations.

" I trust I shall be the instrument of erasing from the statute book that paltry imitation of the worst and still existing portion of French jacobinism—a miserable imitation—which pretends to do that which nature and religion forbid to be done—to extinguish monastic orders in Ireland. While it is law, its penalties will be submitted to; but let me add, as a matter of fact, that its mandate will most assuredly not be obeyed. It was formerly death in Ireland to be a friar, and the Irish earth is still scarcely dry from the blood of martyred friars, the friars multiplied in the face of death. O for the sagacity of Peel, and the awful wisdom of Wellington, that meditate to suppress monastic orders in Ireland by a pen-

niary penalty, and the dread of a foreign mission, under the name of banishment ! ! !

" The law permits men to be profligate, and debauched and corrupt, and selfish; it cannot—and I venture to add that if I am in Parliament, it shall not—long prohibit men from devoting their lives to poverty, to chastity, to obedience, and to the education of the poor.

" Send me to Parliament, and I will incessantly urge on government the necessity of assisting in the internal improvement of your country; in particular in the improvement of the navigation of the Fergus, and construction of an asylum harbour on the western coast.

" Send me to Parliament, and I will strongly urge the abolition of the accursed monopoly of the East India Company, a monopoly which while it grinds more than sixty millions of native inhabitants, by a ruinous and death-dealing revenue exaction, worse than the worst rack rents of Ireland, loads the inhabitants of Great Britain and Ireland with prices, which render an indispensible article of consumption, about twice as dear in this country, as in any other part of Europe.

Send me to Parliament, and I will struggle for freedom of conscience for every human being; and for liberty for men of every creed, caste, and colour.

" Send me to Parliament, and I will strain every nerve to renovate the British constitution, by abolishing rotten boroughs and fictitious titles to vote; by extending the elective franchise to every man who is affected by taxation; and by carrying into full effect that species of constitutional reform, which whilst it applies a radical remedy to every abuse in the system of popular representation, would necessarily dimininish the public burdens, augment the value of private property, increase the safety of individual life, and add to the security of individual and popular liberty.

" Send me to Parliament, and I will employ all the intellect I possess, and every faculty of my mind, unremittingly, perseveringly, perpetually to restore to Ireland a resident gentry, and a real representation in Parliament. Protestaants and Ca-

tholics are equally interested in having Ireland and Irish interest faithfully and effectually represented in Parliament.

" I address Protestants equally with Catholics—I address the landlords equally with the tenants—I address the rich as well as the poor.

" If the landlords of Clare wish to preserve their estate, from the merciless fangs of the English system of poor laws; if they wish to develope the natural resources of their country; if they wish to bury in oblivion former feuds and animosities; if they wish to render their properties more valuable, by the dimunition of public burdens, the encouragement of domestic manufactures, the advancement of Irish commerce, the increase of Irish agriculture, the amelioration of the social circle, the extension of industry, comfort, and prosperity; if the landlords of Clare desire all these things, they will join in sending me to Parliament, to work for the benefit of our common country.

" If the tenantry desire the repeal of the sub-letting act and of the vestry bill; if they desire to have the parish cess lightened, and the grand jury cess abolished; if they desire to see a domestic provision made for the sick and the destitute, and opportunities afforded to the strong and the healthy to earn the wages of industry; if they desire to see Catholic charities established and secure; if they desire to see the Catholic parochial clergy rendered independent and comfortable; it they desire to see the Catholic monastic orders vindicated and protected; if they desire to see the Catholic rights and liberties prevented from being sapped and undermined by the insidious policy of those men who, *false to their own party, can never be true to us;* and who have yielded, not to reason, but to necessity, in granting us freedom of conscience; if they desire all this, let them do me the honour to elect me.

" If in fine the gentry of Clare are desirous to have as their representative a man who is able and most desirous to protect in Parliament their properties and permanent interests, let them do me the honour to select me.

" But let them not lay the flattering unction to their souls, that they can without an independent man of business as their representative, postpone the introduction of the English system of poor laws.

I implore them to recollect that the English members of Parliament have a direct and personal interest in introducing poor laws into Ireland, in order to relieve themselves from a portion of the burden created in England by the Irish labourers throwing, by their numbers, and the cheapness with which they work, a large portion of English labourers on the English poor rates. If I am returned to Parliament it will be my sacred duty to arrange the necessary provision for the infirm and sick poor in Ireland, in such a manner as to avoid the mischiefs of the English system, and to render it not only healing in its application to the poor but advantageous even to the pecuniary interests of the resident proprietors of Ireland.

" Shall I be told that it is impossible to do all this? My answer is that I was often told that it was impossible to obtain Catholic emancipation. Every difficulty creates an impossibility to those who will not struggle against it. There is no impossibility to him, who, having no other object under heaven, but the good of his country and his kind, is determined by honest, open, and constitutional means to achieve the restoration of his native land

Impossible to restore Ireland to that happiness and freedom of which she was so foully deprived! impossible! I utterly deny it. The spirit of improvement is abroad,—the causes of political regeneration are multiplied,—The landed aristocracy of England, by means of the corn laws, have an undue share of the price of the morsel of bread with which the exhausted artizan feeds his hungry family, whilst that very same aristocracy purchase the articles of their own consumption, more cheaply, by means of " the free trade" in manufactures. The principle of free trade, let me add, is one which I cherish; but that principle, to be just, should be universal.—It should not operate to the disadvantage of the poor man, by making his bread dear, and at the same time operate to the advantage of

the rich, by giving him cheap foreign manufacture. It ought not to make food dear, whilst it made silks cheap.

The spirit of improvement is abroad, and the present oligarchical system, which produced these mischiefs, is rocking to its centre. England is interested equally with Ireland, more interested than Ireland in the prosperity of England.

Ireland consumes at present but a limitted portion of British manufactures—suppose ten millions of pounds worth per annum, (for I have not the documents before me, shewing the precise amount); but taking it at ten million at present, it is quite certain that it would rise to thirty millions at least—that is, to three times the present amount by the natural and necessary result of Irish prosperity and Irish greatness.

The coal mines, the iron mines, the salt mines of England, gave her facilities for manufactures not possessed by any other nation on the face of the globe. The rich teeming soil of Ireland—her ever-verdant plains—her sunny hills and rich meadows—the luxuriant limestone districts, and the hardy and steady fertility of her gravelly mixture of soil, render her the fit nursing mother of her neighbouring artisans and operators by her superabundance of food.

"Thus the efficient representation of Ireland, giving a natural stimulus to the one country, would be doubly beneficial to both, and in mutual prosperity, would increase in mutual strength and security.

"I appeal for support to Protestants as well as Catholics. Protestants, as well as Catholics are equally interested in the prosperity and glory of Ireland.

"In my person the county of Clare has been insulted. The brand of degradation has been raised to mark me, because the people of Clare endure this insult, now that they can firmly but constitutionally efface for ever.

"My friends, my beloved friends, Protestants and Catholics—they put me in nomination at the late election, O'Gorman Mahon and Thomas Steele, have also been visited by a similar attempt. People of Clare, what are your sentiments towards the persecutors of O'Gorman Mahon and Thomas Steele?

You are not ignorant that they made themselves enemies by the activity, courage, and success, with which at a critical moment, in spite of every obstacle, and of every excitement, they preserved the peace of your country. You know how much bloodshed they prevented. The commission of the peace was never in the hands of men who so sedulously and successfully preserved the peace. But it was a crime in the eyes of some of our enemies, too great to be forgiven, that the king's peace was preserved. Now, again, I repeat the question—What are your feelings towards the persecutors of O'Gorman Mahon and Thomas Steele? Any man who votes against me at the ensuing election, must be a man who joins the enemies of O'Gorman Mahon and Thomas Steele, and thinks that these estimable gentlemen ought to be visited with a paltry attempt to insult them, merely because they preserved the lives of the people, and nobly vindicated at the last election, the religion and liberties of the Catholics of Ireland.

"It has been said that I am a stranger in Clare. Me a stranger in any part of Ireland? Foolish and absurd. I am identified with the people of Clare in every thing that can identify man to man. All, however, I can claim, is the ratification of the former election. I ask only the sympathy of Clare upon the vacancy; I have a title to that sympathy by the community of interest and generous feeling and exalted resolves.

"Catholic brothers, respected and esteemed Protestant, friends, I claim your suffrages on this occasion.

"To my Catholic brothers, I say, that the protection of rights of the Catholics in Parliament, that the establishment of Catholic charities and schools, that the independent and permanent support of the Catholic clergy, that the integrity of the Catholic religious charities' societies, and in fine that the vindication of the principles and of the genuine purity of calumniated Catholic doctrines require that I should be in Parliament.

"To my esteemed and beloved Protestant friends, I say that the local interest of your country, the individual interest

of your resident gentry, and landed proprietors, the universal interests of Ireland, require that I should be in Parliament.

" To both Catholic and Protestant friends, I would recall to mind, that we achieved emancipation in the most peaceful loyal and constitutional manner. We committed no offence, we were guilty of no crime, we destroyed no property, we injured no man's person, we affected no man's life. The glorious revolutions which gave us Catholic emancipation was affected without the destruction of one particle of any man's property, without the shedding of one drop of human blood. A sober, a moral and a religious people, cannot continue slaves; they become too powerful for their oppressors; their moral strength exceeds their physical powers, and their progress towards prosperity, and liberty is in vain opposed by the Peels and Wellingtons of society. These poor struggles for ancient abuses yield to a necessity which violates no law, and commits no crime; and having once already succeeded by these means, our next success is equally certain, if we adopt the same virtuous and irresistible means.

" I conclude as I began. Electors of Clare, I have been illegally injured, and you have bee nunworthily insulted by that unworthy ministerial dexterity which deprived me of my right to represent you in Parliament. I call upon you to wipe away that injury, to blot out that insult, by sending me back to express my sentiments and yours, to the men who in so undignified a manner, injured me, and insults you.

Protestants and Catholics, Friends and Brothers,
I am your devoted servant
DANIEL O'CONNELL

London, May 25, 1829.

It may be supposed that this powerful address, although a mixture of sense and bombast, of truth and falsehood, of the height of vanity and the depth of flattery, did not fail to have its desired effect upon the willing and pliant electors of the county of Clare. Previously however to entering into a detail of the occurrences immediately following the decision of the House of Commons of the ineligibility of Mr. O'Connell to

take his seat, in consequence of his refusal to take the Oath of Supremacy, we shall enter into a brief exposition of the great triumph which Mr. O'Connell achieved in procuring for his countrymen their emancipation from their political disabilities, and wrested too from those very Ministers of the Crown, who had hitherto used the utmost of their power and influence to prevent any concession whatever being granted to the Catholics. In vain did those prototypes of moral virtue, those strict observers of all religious duties, the Dukes of York and Cumberland appear in the farcical theatre of hereditary wisdom, and sputter forth their anathemas against the reception of the Catholics into the body politic of the English people. In vain did the bigots and fanatics of the day blazon forth in letters of gold, the determination of the royal Dukes, "to die like demigods" in support of the Protestant religion—all passed away unheeded, *(ex nihilo nihil fit,)* the people of the country had become enlightened. They looked not to the creed of the individual as the criterion of his political integrity or his loyalty; Catholic emancipation was the tenure by which Ministers could keep their places, and, the ultimate attainment of it has placed upon the records of the parliamentary history of this country, a specimen of political tergiversation, the parallel of which cannot be found.

The result of the parliamentary discussions of the Catholic question of 1828, did not in in itself contain anything calculated to excite among the Protestant part of the community apprehension of an approaching change, and still less of the King's Ministers being ready to propose and support such a change, as a cabinet measure. The majority of six, which had carried the resolutions in favour of the Catholics in the House of Commons, was smaller than that which had carried the third reading of Mr. Plunkett's Relief Bill in 1821, and Mr. Canning's Bill in 1822, and the second reading of Sir Francis Burdett's Bill in 1825; while the majority of forty-five which had rejected them in the House of Peers, was larger than the majorities on the first and second of these former occasions, and only three votes smaller than that of 1825.

The Catholic leaders themselves, indeed, pretended to know, that Government was inclined to lend a more willing ear to their demands; but on the one hand, they did not act, as if they believed their own statements, for they immediately proceeded to do their utmost, to rouse Ireland into open rebellion; and on the other, there was nothing in the state of the Cabinet, nothing in the expressed sentiments of its principal members, nothing in the complexion of public feeling, that seemed to justify such a prospect. The Ministry continued to be, as for years it had been, divided upon the question; but its head, the Duke of Wellington, and Mr. Peel, the most influential of his colleagues, were precisely the men who had distinguished themselves by their opposition to the Catholic demands, on every ground both of right and of expediency. During the discussion of 1828, both of them, along with the Lord Chancellor, had expressed no inclination to desert the principles, which they had uniformly defended, and which had gained for the former two, on this particular question, the unlimited confidence of that large majority of the community which regarded concession to the Catholics, as dangerous and unconstitutional. On the 10th of May, 1828, Mr. Peel, in his place in Parliament, had ranked himself among those "in whose minds no disposition to change existed, but who rather found their original belief strengthened by consideration." He had concluded a speech, in which he had proved the danger and unreasonableness of these demands in every point of view, with stating, that he had now gone over "the grounds on which he had acted, and on which he had avowed his intention of still acting." During the autumn, indeed, the Catholic leaders had produced alarm over Ireland, as they had often done before, and organized the disaffected into a body ready for confusion and rebellion, but the country had not yet learned that an aptitude to yield to clamour and intimidation was one of the qualities of a wise and energetic government; and the long tried opponents of the Catholic claims had just been repeating their settled con-

victions that for this, and other evils affecting that part of the empire concession would afford no remedy. The speech of Mr. Dawson at Londonderry, on the 12th of August was the first public symptom of the influence of the Association in terrifying its opponents, but although the sentiments of that gentleman derived additional importance from the relation in which he stood to the Home Secretary, and although they were, therefore eagerly caught by the friends of concession, as betokening a change of opinion in more powerful men, yet the vacillations of an Irish member trembling for his seat, under the remembrance of the Clare election, could lead no one to anticipate sudden defection among those, who had less reason to dread, and whose first duty it was to restrain the Catholic demagogues. Though Mr. Peel's brother-in-law had announced, at a public dinner, his change of opinion, Mr. Peel himself accepted, during the autumn, the public banquets of the gentry and manufacturers of Lancashire, as the champion of the Protestant cause, without allowing a syllable to escape from him, which could raise any suspicion that he was more inclined to surrender the Protestant constitution, than he had been three months before.

Above all, the correspondence between the Duke of Wellington and Dr. Curtis, which was given to the public in December, justified the most entire confidence on the part of the country, that his Grace and his Grace's Ministry entertained no purpose of yielding. The Duke had written, in express words, that he "saw no prospect of a settlement of the question:" that, in the existing state of excitation, "it was impossible to expect to prevail upon men to consider it dispassionately;" and that, if an ultimate satisfactory arrangement of the question were wished for, it would be desirable for a time "to bury it in oblivion." When the Duke of Wellington thus declared, on the 11th of December, that he saw no prospect of a settlement of the question, what man could imagine, that he had already resolved forthwith to force it to a settlement? Who thus represented the excited state of

public feeling, as opposing an insuperable obstacle to the consideration of concession, who could believe that he and his cabinet had already determined to push concession, in defiance, of that very feeling, and amidst excitation a thousand times more violent? When he expressed his opinion that the question ought to be "buried in oblivion," would it not have been deemed an insult to the understanding or to the honesty of his Grace, to have said, that by these words, he meant the instant agitation of the question in Parliament and the agitation of it, too, as a government measure? When the year concluded with the recall of the Lord Lieutenant, because he had used language, and pursued a line of conduct, favourable to the hopes of the Catholics, what man could dream that the next year was to begin with granting all that the Catholics had ever demanded?

Yet so it was; while the country was thus reposing in secure confidence, that the leading members of the Government were still faithful to their trust; these very men had determined to go over to the Catholics, and in secresy, and silence, were arranging their plans, to overwhelm every attempt at resistance, by the power of ministerial influence. The consent of the King was the first thing to be obtained, and it was likewise the most difficult. His Majesty's opinion against the justice and expediency of concession were deeply rooted; the subject itself was one, on the consideration of which, he did not willingly enter. What were the arguments employed for his Majesty's conversion can be learned only from the argument by which Ministers subsequently attempted to justify in Parliament their own change of policy; but while the operations of the Minister upon the royal mind were going on, no whisper was allowed to go abroad regarding the measure that was in contemplation. There was skilful management in this, if there was not much fairness. Had the people, instead of being lulled into the confidence that those whom they had trusted before, would be trust-worthy still, been made aware of the counsels which these very men were pouring into the royal ear, the public voice would have been

heard at the foot of the throne, strengthening the deep-rooted convictions of the Monarch himself, and the reluctant consent, which was ultimately wrung from him, in all probability, would never have been obtained. When his consent was once obtained, the public voice might be allowed to raise itself without danger, for he then stood pledged to his Ministers, if those Ministers, by whatever means could only command a majority in Parliament. It was not till after this consent had been granted, that it began to be whispered abroad in the end of January, and only a few days before the meeting of Parliament that his Majesty's Minister's intended to recommend to Parliament, some concessions to the Catholics.

The surprise, which this announcement excited was only equalled by the indignation and contempt roused by so sudden an abandonment of principle. The Protestant party found that up to the very moment of the assembling of Parliament, they had been allowed to rest in the belief, that the question would not be stirred, the influence of the leading Members of the Cabinet would still stand in its way, while in truth their most tried friends had been plotting and planning, how they might most successfully secure a triumph to the enemy, and were concealing at the same time their intended defection up to the instant, when the contest was to begin. It seems impossible to acquit the Duke of Wellington and Mr. Peel, of having acted in this part of the affair with a disingenuousness which might be perfectly in its place in a miserable political intrigue, but which tainted their character as public men in relation to a question of such vast and vital importance. They knew they were trusted by the Protestant party as the champions who were to be ready armed, whenever the Catholics should advance against the constitution. If they had grown weary of the service, and were resolved to abandon it for the adverse side, there would have been more manliness and fairness, though less craft in announcing from the first, their own change of sentiment, and their determination to act with instant vigour against their former friends. Thus matters stood, when Parliament met on the 5th of February, and in the

Address from the Throne, his Majesty is made to say that he laments, that in that part of the United Kingdom (Ireland) an Association should still exist, which is dangerous to the public peace, and inconsistent with the spirit of the Constitution, which keeps alive discord and ill-will amongst his Majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.

His Majesty further recommends, that when this essential object shall have been accomplished, you shall take into your deliberate consideration the whole condition of Ireland, and that you should revise the laws which impose civil disabilities on his Majesty's Roman Catholic subjects.

In pursuance of this recommendation contained in the King's Speech, Mr. Peel on the 10th of February obtained leave to bring in a Bill for putting an end to the existence of the Association. The Bill passed both Houses without opposition, for although its provisions were necessarily somewhat arbitrary in their nature, and called down the anathemas of Mr. O'Connell upon the heads of the Ministers, yet the friends of the Catholics voted in its favour as part of a system which was immediately to terminate in emancipation. They all declared, however, that if it had been introduced as a substantive measure, they would have resisted it, and that they now consented to suppress the Association, only on the understanding that those claims for the furtherance of which the Association had been created, were to be immediately conceded. In truth, to grant emancipation would put an end to the Association without any statute, to remove the disabilities would be the only effectual Act of suppression. O'Connell however told the Ministers, that the Association was not a corporeal being, capable of being grasped by the law. It was the people of Ireland, and he was at the head of that people. Its spirit was caused by the grievances of the nation, and its seat was the bosom of seven millions of its population. It was impossible to deny, and Ministers confessed it, that the present flourishing prospect of the Catholic Cause, was mainly owing

to the gigantic efforts of Mr. O'Connell, who appeared to move the whole machinery of it with a sovereign power, unequalled by any, which a subject ever possessed before. In forwarding that cause, he had done good to both parts of the empire, however foolishly individual Members might have indulged in absurd proposals; and extravagant, and irritating language; and its suppression by enactments, which involved even the temporary exercise of arbitrary powers, could be justified only by regarding it as the price to be paid for the final and complete triumph of that object, for which alone it had existed.

In the course of the discussions, it was strongly pressed upon Ministers, why the suppression of this Associatiou had not been sooner accomplished? You justly describe this Association, it was said to them, as a body, whose existence is incompatible with the due operation of the power of the regular government. You represent Ireland as being in a state of agitation which can be soothed only by granting all that the Catholics demand; and no man can doubt that the Catholic Association, which exists only for purpose of agitation, is the great fomenter of that dangerous and alarming spirit. You say that it must be put down; you ask extraordinary powers to put it down; by doing so, you grant that it may be put down. If so why has it been allowed to go on prosperous and unimpeded for years, till, having gained "a giant stature and a tyrant's strength," it brings you crouching to its feet, in trembling obedience to its mandates? In short, you acknowledge, that by a due use of power you might have prevented that state of things, in which, now that it has been allowed to grow up, you seek an apology for deserting the policy to which you have been so long pledged. Above all, you ask and obtained in 1825, an Act for suppressing this very Association Yet it is since that time that it has become so formidable. If the powers given by that Act were sufficient, why was it not enforced? If they were insufficient, why were more effective powers not demanded? for who would have

grudged any power necessary to put down an usurpation of the regular government of the country.

The Act passed: but the Association rendered it unnecessary to make use of the powers which it bestowed. Their parliamentary friends had pointed out to them, that, as matters stood, with the Government pledged to emancipation, their continuing together as a body, could only do mischief; and the Association, even before the Bill had completed its hasty progress, declared itself dissolved. It was plain, however, even from the explanation given by ministers themselves, that the Association had been allowed, to bully the Government into submission, and that the present act for its suppression, was a mere legislative mockery—the ridiculous assumption of a threatening gesture to cover and conceal its impotence. The Association had demanded emancipation, unqualified emancipation, and nothing else. It had said to the Government, give us emancipation, and we exist no more; refuse us what we ask, and we defy power, either to restrain or to resist us. The question between it and the Government had never been, whether it would be quiet, if the Government gave all it demanded—but whether or no, the Government could compel it to be quiet, even though it should get nothing. In such circumstances, when one hand held a Bill for suppressing the Association, while the other contained a Bill, granting all that the Association demanded, to speak of having suppressed the Association, was an abuse of words. It was, as if a man should boast of his victory over a highwayman, to whom he exclaims, when the pistol is at his breast, "down with your pistol, sir, for there are my purse and my watch." The robber would have the best of it, and so had the Association.

On the 5th of March, for which day a call of the House had been ordered, Mr. Peel moved, "that the House resolve itself into a committee of the whole House, to consider of the laws imposing civil disabilities on his Majesty's Roman Catholic subjects."

The debate upon the motion for going into a committee, was continued by adjournment upon the 6th of March. The

principal supporters of the proposal, were found among ministers and their converted adherents. The Whigs satisfied with approving and leading the Ministry, did not take any leading share in the discussion. Lord Milton, Sir J. Newport, Mr. Brougham, and Sir F. Burdett spoke, but left the task of justification to the introducers of the measure, to whom it was much more difficult than to those, who, by their present vote, were only repeating opinions which they had long entertained, and often expressed.

On a division, the motion was carried by a majority of 188: the votes being 348 for the motion, and 160 against it. This preponderance was manifestly decisive of the ultimate fate of the question, at least in the House of Commons; and its extent betrayed an overwhelming weight of ministerial influence which could scarcely fail to be less successfully employed in the House of Peers.

The country did not desert itself. Though deprived of its accustomed leaders, at the very moment when their vigilance and energy were most required; the public voice announced itself in an expression of decided opposition; and if a judgement was to be formed from the number of petitions, which began, so soon as the intention of ministers was known, to crowd the tables of both Houses, the proposed measure was one to which the public mind of Britain was utterly averse. Ministers did not attempt to deny the fact, and hence their determination not to risk a new election. Hence too a determination, to treat the petitioners with as little respect as possible, to regard the petitions as impertinent and troublesome encroachments on the time of an assembly, whose resolutions had been already taken. Before the first reading of the Bill, there had been presented 957 petitions in its favour. The petitions were uniformly spoken of with pity, as containing expressions of well-meaning, but ignorant prejudices, or met with indignation, as the result of persecuting illiberality and knavish contrivance. It is quite true, that such modes of expressing opinion, always admits the expression of a great difference of opinion, which may be entitled to little weight,

but then the very same facilities exist on both sides; no induction is to be made from the one, which is not, on the same grounds, to be made from the other; and after all substractions, the fact remained. The measure, which was now to be forced upon the country, was odious to the great majority of its Protestant population. But in Parliament they were without leaders of weight and reputation; for all the talkers were on the other side; their orators and influential men had wheeled round at the word of their captain, and joined the ranks of the enemy. The changes which rushed upon the public eye were astounding. Those men, like Mr. Peel, were matter of melancholy seriousness, because destructive of all public confidence, and drawing with them a practical revolution in the system of government. The hurried wheelings of the subaltern performers, were the ordinary phenomena of official nature, and excited a smile at the awkwardness with which the evolution was sometimes performed.

But there were examples of change among men who ought to have stood aloof from the threats, as from the seductions of power. Sir Thomas Lethbridge, one of the members for Somersetshire, had attended a meeting of the county of Devon, held in the middle of January, to petition against farther concession to the Catholics. He had there been the organ of a most obstinate and enthusiastic resistance to their demands. On the 6th of February, after the royal speech, he had announced that his opinions were unchanged. In the beginning of March, he then read his recantation, and announced all at once, that the plan of Ministers was wise, patriotic, and excellent in all its parts. Announcements like these, were received with shouts of laughter by the House, and with utter loathing by the country.

The House having gone into a Committee, and agreed to certain resolutions, a Bill in conformity was directed to be prepared. It was brought in by Mr. Peel on the 10th of March, when it was read a first time. The opponents of the measure allowed the first reading to take place without oppo-

sition, it being arranged that the debate on the principle of the Bill should take place on the second reading. That reading was fixed for the 17th, notwithstanding the opposition of the Anti-Catholic members, who insisted that a week was too short a period to allow the country to form an opinion on the Bill after it should have been printed, and its details known. It was answered, that as the general principle of the Bill was to be then decided, the details would be discussed in Committee; that delay was sought only to rouse the prejudices, and inflame the passions of the people; and that considering the state of excitation in which the public mind already was, it would be desirable to allay the agitation, by settling it with all possible speed. Sir Francis Burdett, in fact, had already said in the debate on the motion for a Committee, that "It was better to get on with the measure than to argue about it; that action, not talking was to be looked to." In truth, the inefficiency of the Anti-Catholic population of Britain consisted in their very quietude. If instead of confining their expression of opinion to petitions, they had followed the example of the Catholics of Ireland, and addressed to Ministers the same argument of "Agitation," which had been so effective in the hands of the Association, their opinions would have come in that form, which when adopted on the other side, Ministers allowed to be legitimate and irresistible.

On the 17th of March, Mr. Peel moved that the Bill for the relief of the Roman Catholics should be read a second time. The motion led to a debate which was continued, by adjournment on the 18th. In so far as the speakers reiterated the grounds on which the necessity of emancipation had been maintained, so long it would be wearisome to repeat what has been so often recorded.

The motion for engrossing the Bill with its amendments was carried by a majority of 233 to 106, and on Monday the 30th of March the third reading was moved by Mr. Peel. The Marquis of Chandos on the other hand moved that the Bill should be read a third time that day six months. A

debate ensued, in the course of which all that had been already said, more than once on both sides were said over again. The third reading was carried by a majority of 178, there being 320 in favour of it, and 142 against it. Thus, in only three weeks from the time at which it had been introduced, was passed a Bill which its own supporters acknowledged to be an infringement of the constitution, and which whether for evil or for good, introduced into the frame and spirit of that constitution, an infinitely more important change than Britain had witnessed since the Revolution.

Hitherto the most steady and uniform resistance to the demands of the Catholics, had been found in the House of Lords. Whenever the Commons passed a Bill, or adopted a resolution, favourable to their views, a large majority of the Peers had always refused to concur in any thing which went to alter the Protestant characteristics of the constitution. Even 1818 when the lower House had passed resolutions intended to be the foundation of a Relief Bill, they had been rejected by the Peers by a majority of 45. Not twelve months had elapsed; and the Protestants find themselves deserted, and betrayed among their own representatives, placed their last hope in the steadiness which had so often distinguished the House of Lords. It was not to be expected, however, that the dictatorial powers of the Ministry, which had been strong enough to make the lower House disregard the public opinion of which it ought to be the organ, would lose their efficacy when applied to a body, less dependant on popular sentiment. The Aristocracy obeyed the word of command, as the Commons had done; the same means which had secured a triumph in the one House, prepared the way for it in the other.

On the 31st of March, the day following that on which the Bill had passed the House of Commons, it was brought up to the Lords by Mr. Peel, and was immediately read a first time. The Duke of Wellington then moved that the second reading should take place two days thereafter, on the 2nd of April. Lord Bexley and the Earl of Malmesbury opposed the motion, on the ground that such precipitate haste was unbecoming:

urging that on all former occasions, a much longer time had been allowed for consideration, and that such breathless hurry was the conduct of men who were merely to decide as another dictated, rather than that of a Legislature, called to deliberate on a grave matter of public policy. The Duke answered, that the subject had been sufficiently discussed already, and that the public were anxious to obtain their Lordship's decision. Lord Holland justified him by referring to the haste with which the statutes about to be repealed, had been originally passed; and the motion was carried without a division.

On the 2nd of April the Duke of Wellington introduced the notion for the second reading, and as the speech which he then made, embodies all the arguments in favour of Catholic concession, and at the same time is explanatory of the line of conduct which the Ministers considered it to be their duty to adopt on one of the most important questions, which ever came before the Legislature of the country, we shall give it in its entire form.

The Duke of Wellington addressed their lordships as follows:—

It was now his duty to move that their lordships would read this bill a second time, and to explain to their lordships the grounds on which he recommended the measure to their consideration. He might be under the necessity of requesting a larger portion of their lordship's attention on this occasion than he had hitherto been in the habit of occupying; but he assured their lordships that it was not his intention to take up one instant of their time with respect to himself, or his own conduct, in the transaction, any farther than to express his regret that he should differ in opinion on this subject from so many of those, for whom he entertained the highest respect and regard. He must, however, state, that he considered the part which he had taken as the performance of a public duty, absolutely incumbent on him; and he would say, that no private regard and respect for the opinions of any noble lord could induce him to depart from the course which he had considered it his duty to adopt. He must likewise say this—that

by comparing his own opinions with those of others on the subject, he had, during the period he had been in office, had an opportunity of forming a judgment which other persons had not possessed, and he might claim some confidence from the circumstance, that he would not have given the opinion which he had given, if he had not been intimately and firmly persuaded that that opinion was a just one.

The point which he would first bring under their lordships consideration was the state of Ireland. He knew it was by some considered that the state of Ireland had nothing to do with the question,—that it was a subject which ought to be left entirely out of its consideration. Those persons said that Ireland had been disturbed for the last thirty years—that to such disturbance we had been accustomed, and that therefore it did not all alter the circumstances of the case as they had hitherto appeared. It was perfectly true that Ireland had been disturbed during the long period which he had mentioned, but there had been circumstances of considerable aggravation in the course of the last year or two, which had just passed.

Political circumstances had in a considerable degree occasioned that aggravation; but, besides, he must say (though he had no positive legal proof of the fact, yet he had every reason to believe it) that there had been an organization of the people,—a consideable organization of the people,—for purposes of mischief. This organization he might take to be proved, not only by the declarations of those who formed it, but likewise by the effects which it had produced on the elections of churchwardens throughout the country—in the circumstances which attended the election for the county of Clare last year—in the circumstances which followed that election—in the proceedings of a gentleman who went at the head of a body of men into the north of Ireland—in the simultaneous proceedings of various bodies of men at Thurles, Clonmell, Templetown, and other places—in the proceedings of another gentleman in the King's county—and in the recall of the former gentleman from the north of Ireland by the Catholic Association. In all those circumstances it was

obvious to him that there was an organization of the people, and that they were directed by some superior authority. This organization had certainly produced a state of society in Ireland which had not been heretofore witnessed, and which was an aggravation of all the evils that had before afflicted that unfortunate country. Later in the year a considerable town was attacked in the middle of the night by a body of armed people from a neighbouring mountainous district. This town (Augher) was attacked with arms, and the persons who attacked it were driven out with arms by the inhabitants of the town. This was a state of things which he thought their lordships must admit could hardly exist in a country where civilized society was established. Later in the year, still nearly a similar event occurred in the town of Charlewood (as we understood). Nearly at the same period, in the last autumn, the Roman Catholic Association was called upon to deliberate on the propriety of adopting measures for ceasing all dealings between Roman Catholics and Protestants. Was it possible to believe—supposing that this measure had been carried into execution, which he firmly believed was in the power of those who deliberated on it to have effected—was it possible to believe that those who could thus cease their dealings, would not likewise have ceased to carry into execution the contracts into which they had entered? Would any man say, that people in that situation were not verging towards a state, in which it would be impossible to expect from them, that they would be able to perform the duties of jurymen, and to administer justice between man and man for the protection of the lives and property of His Majesty's subjects? This was a state of society to which he wished to direct their lordships attention, and for which he asserted it was necessary Parliament should provide a remedy.

Before he proceeded to consider what that remedy should be, he wished just to show their lordships what effect this state of society had upon the King's prerogative. His Majesty could not create a peer, and the reason why he could not was this:—His Majesty's servants could not venture to recommend

to him to incur the risk of an election in another part of the country, at which accidents might occur that would lead to the shedding of blood, which might have led to an instantaneous civil war in the country. That was the principal reason why Ministers could not advise His Majesty to exercise his prerogative in the creation of a peer; but he confessed that he had also another reason: he felt the strongest objection to give another triumph to the Roman Catholic Association. They were told, "Why not carry the law into execution?" Why, their lordships would observe, that in all he had stated hitherto, there had been no resistance to the law. The magistrates were not called upon to act. There was no resistance to the King's troops; indeed, except in the case of the procession to the north of Ireland, they were never called into duty. There was no instance, therefore, in which the law could be carried into execution. When he heard gentlemen reproach Government for not carrying the law into execution in Ireland as it was carried into execution in England, he must say their observations showed that they did not understand the state of things in Ireland. It was true the law was carried into execution in England in 1819. There were then large bodies of people assembled for illegal purposes; they resisted the orders of the magistrates directing them to disperse, and having resisted these orders, the magistrates called on the troops to disperse them. In the recent cases no orders were given to the people to disperse. No orders had been given, because no magistrates appeared; and if the orders had been given, there were no troops to disperse them. It was the state of society in Ireland which rendered such events probable every hour: and it was impossible that magistrates could be at every spot, and at every hour, in order to put an end to those outrages which really were a disgrace to the country in which they took place. It then was clearly apparent that neither the the law, nor the other means in the possession of Government, enabled it to put an end to this state of things. It was therefore necessary to come to Parliament. Let their lordships see what chance there was of pro-

viding a remedy for the state of things he had described by coming to Parliament.

They all knew perfectly well that the opinion of the majority in another place, was, that the remedy for this state of things in Ireland was the removal of the disabilities which affected His Majesty's Roman Catholic subjects. Ministers might have come and asked Parliament to enable them to put down the Roman Catholic Association; but what chance had they of prevailing on Parliament to pass a bill for that purpose, without being prepared to come forward and state that they were ready to consider the whole condition of Ireland, with a view to apply a remedy to that, which Parliament stated to be the cause of the disease? Supposing Parliament had given Government a bill to put down the Roman Catholic Association,—even such a bill as they had passed this year,—would that be a remedy for the state of things which he had already described as existing in Ireland? Would it, he asked, do any one thing towards putting an end to the mischievous consequences of that organization? Would it do any thing towards giving the means of getting a better state of things? But it was said, "If this will not do, let us proceed to blows.' What he supposed to be meant by "blows" was civil war. He believed that every government must be prepared to carry into execution the law of the country by the force placed at its disposal, (not by the military force, unless it were absolutely necessary,) in case the disaffected or ill-disposed be inclined to resist the sentences of the law and authority: but in this case he had already stated there was no resistance to the law. There was nothing that could be called resistance to the law and he might go further, and say he was positively certain that this state of things, bordering on civil war, and being attended with all the evils of civil war,—the state of things which had existed in Ireland, during the last year and a half, might have continued a considerable time longer, to the injury and disgrace of the country of the country; and nevertheless those who managed this state of things—those who were at its head—would have taken care to prevent any resistance to the

law, which must have ended, they knew as well as he did, in the only way in which a struggle against the King's Government, backed by law, could terminate. They knew that they would have been the first victims, in case of resistance being offered to the execution of the law; but knowing that, being sensible and able men, and perfectly aware of the materials with which they were working, this state of things might have existed for years without Government having an opportunity of putting it down in the way which some noble lords wished. He would say, however, that supposing he was certain of possessing such a means of putting down this state of things, he should have considered it his duty to avoid resorting to them.

He had probably passed a longer period of his life in the occupation of war than most men, and principally, he might say, in civil war, and he must say this, that if he could avoid by any sacrifice, even that of his life, one month of civil war in a country to which he was attached, he would cheerfully make it. There was nothing which destroyed property and the resources of prosperity in the same degree as civil war. The hand of man was raised against his neighbour, of brother against brother, of father against father; the servant betrayed his master, and the whole scene ended in confusion and devastation. This was the resource to which Government must have looked; this was the last resource to which they could have looked for putting an end to the existing state of things in Ireland, if they had not made the option of bringing forward the measure before their Lordships, for which he was responsible.

Let their Lordships look a little farther. If civil war was bad and to be avoided, when occasioned by resistance to the Government, as in the case to which he had referred; how much worse was it, and how much more to be avoided, when the Government had to arm the people one part against the other? He was sure there were not many who heard him, whose blood would not shudder at such a proposition if it were made to them; yet that was the result to which we must have come, if

we had continued in the course which was pursued last year. He entreated Noble Lords not only to consider the subject in that point of view, but likewise to revert to what had occurred on a similar occasion. He was old enough to remember the rebellion of 1798. He was not then employed in Ireland, but in another and distant part of his Majesty's dominions; but if he was not mistaken, the Parliament of Ireland at that time went up to the Lord-Lieutenant with an unanimous address (he believed they walked up to him in a body), beseeching his Excellency to take every means to put down the unnatural rebellion then raging, and promising him full support in carrying the measure into execution. The Lord-Lieutenant did take measures for putting down the rebellion, and succeeded in effecting that object. What then? Why, it happened in the very next session that Government proposed to put an end to that Irish Parliament by uniting the two kingdoms, by forming a legislative union between them for the purpose—principally for the purpose—of passing the very measure which he now proposed to their Lordships. And, in point of fact, the very first measure proposed in Parliament after the legislative union—after the successful measures adopted by the Lord-Lieutenant for suppressing the rebellion—was the very measure now before them. Why then, he asked, was it possible any Noble Lord could believe, supposing such a contest as that which he had anticipated were to take place, that it could be carried on, much less brought to a conclusion, without the measure which he now proposed being insisted on by one at least, if not both Houses of Parliament? He was sure when their Lordships looked at the division of opinion which prevailed in both Houses of Parliament on this question; when they looked at the difference of opinion which prevailed in every family in this country and in Ireland, from the most eminent in station down to the lowest; when they looked at the division of opinion which prevailed amongst the Protestants of Ireland; when their Lordships looked at these circumstances, he was sure they would perceive the vast difference there

would be between a contest carried on now, and that which had been carried on at a former period.

He begged to remind noble lords of the declaration of Protestant feeling in Ireland recently presented to that House. In 1798, the Parliament of Ireland was unanimous, with the exception of, he believed, one or two persons. On a recent occasion two dukes, seventeen marquisses, twenty-six earls, and a vast number of other ranks, comprising not less than two thousand Protestant gentlemen of property in Ireland, had signed a declaration to Parliament, stating that it was absolutely necessary to grant concessions to the Catholics. Such being the case, a contest of the nature to which he had referred would be carried on under circumstances totally different from those which existed on the former occasion. But was it possible to believe that their lordships, having this state of things before them; seeing what the opinion of the other house of Parliament was; seeing what was the opinion of large numbers of the Protestants of Ireland; seeing what was the opinion of nearly every statesman during the last forty years. Was it, he asked possible to believe that their lordships would continue to oppose the measure proposed for settling the question? The thing was absolutely impossible. We could not have gone on longer without increasing the difficulties of the country. But it was very desirable that their lordships should look a little at what benefit was to be derived by any one class of the state by continuing the disabilities and adopting the measures to which he had alluded.

It was said that it was necessary to preserve the principle of the constitution of 1688; that the Act of 1688 permanently excluded Catholics from Parliament, and that, being so permanently excluded, it was necessary to incur all the existing evils in order to maintain that permanent exclusion. He wished very much that noble lords would take the same trouble that he had, and look themselves at how matters stood with respect to this permanent exclusion of Roman Catholics from Parliament. In the Bill of Rights some things were permanently enacted which he sincerely hoped would continue

permanent. Those objects were the liberties of the people, and the security for the Protestantism of the person occupying the throne. The Bill of Rights provided that the person on the throne should be a Protestant, and should not marry a Papist. Then there were the oaths of allegiance and supremacy, and the declaration against transubstantiation, which it was said were permanent also. He begged to observe, that the oath of allegiance, which it was contended was permanent, was altered before the end of the year in which the Act was passed. The alteration, to be sure, was not very material, but it shewed that the permanency which was ascribed to the oath, really did not belong to it. Then, with respect to the oaths taken by members of Parliament, the declaration against transubstantiation, and the invocation of the saints, they were not created by the Act of William III., but by the Act of the 30th of Charles II. During the reign of Charles II. certain oaths were imposed on Dissenters from the church of England by statutes 13 and 14; and next, Roman Catholics were excluded from Parliament (by the operation of oaths) by statutes 25 and 30. At the period of the revolution, when King William came, he thought proper to extend the basis of his Government, and he repealed the oaths affecting Dissenters from the church of England imposed by statutes 13 and 14 of Charles II., and likewise the affirmative part of the oath of supremacy, which Dissenters could not take. That was the history of the alteration by William III of the oaths established in the time of Charles II. The oaths regarding Dissenters from the church of England were altered, because one of the great principles of the revolution was to limit exclusion from the benefit of the constitution as far as possible. Therefore that principle was recorded in the Bill of Rights, as well as the liberties of the subject and the Protestantism of the Crown.

Some noble lords maintained that it was part of the principle of the constitution of 1688, that the oaths which excluded Roman Catholics from Parliament were equally permanent with the Bill of Rights, by which the people's liberties and

the Protestantism of the Crown were secured. If noble lords would do him the favour to look at the words of the act (he had it ready,) they would find that the difference between that which was permanent and that which was not. The Bill of Rights declared that the Protestantism of the Crown should last for ever—that the liberties of the people should be secured for ever; but it was remarkable that as to these oaths which were enacted on the same occasion, not one word was said about them lasting for ever, or as to how long they should last. Then, what followed? The next act was, the union with Scotland; and what did that act say? Why, that the oaths to be taken by members of Parliament were to be the same as those laid down in the 1st of William and Mary, until Parliament should otherwise direct. There was what was called a permanent act of Parliament to exclude for all future periods Roman Catholics from sitting in the legislature. He would beg to observe, that if the act of William was permanent, which excluded Catholics from Parliament, the 8th clause of the 10th chapter of another act, passed in the same session, required the same oaths to be taken by officers in the army and navy previously to their accepting their commissions. He would ask noble lords why, if the act which excluded Catholics from Parliament were permanent, the other, which excluded them from the army and navy, was not likewise permanent? He would like to ask the noble and learned lord on the woolsack—he meant on the cross-bench—(Eldon)—to answer that question. If the oaths were permanent in the one case, they were equally so in the other; and yet the noble and learned lord consented to the bill of 1817, which repealed oaths required to be taken by officers of the army and navy. He supposed that the noble and learned lord would answer his question by saying, that one act was permanent, and ought to be permanently maintained, but that the other act was not permanent, and the Parliament did right in repealing it in 1817. But the truth of the matter was, that neither act was permanent; and the Parliament of Queen Anne recognised by the act of Union that the first act, relating to seats in Par-

liament, was not permanent; and the noble and learned lord did quite right when he consented to the act of 1817, which put an end to the 10th clause of the 1st of William III., chap. 8.

Then, if this principle of exclusion—if this principle of the constitution of 1688, as it was called—was not permanent, if it was recognised to be not permanent, not only by the act of Union with Scotland, (in which it was said that the exclusive oath should continue till Parliament otherwise provided,) but also by the later act of Union with Ireland, he would ask their lordships, whether they were not at liberty now to consider the expediency of doing away with it altogether, in order to relieve the country from the inconveniences to which he had already averted? He would ask their lordships, whether they were not called upon to review the state of the representation of Ireland,—whether they were not called upon to see, whether, even supposing that that principle were a permanent one, it was fit that Parliament should remain as it had remained for some time, groaning under a Popish influence exercised by the priests over the elections in Ireland. He would ask their lordships, he repeated, whether it was not right to make an arrangement, which had for its object, not only the settlement of this question, but at the same time to relieve the country from the inconveniences which he had mentioned. He had already stated the manner in which the organization he had alluded to worked upon all the great interests of the country: but he wished their lordships particularly to attend to the manner in which it worked upon the church itself.

That part of the church of England which existed in Ireland was in a very peculiar situation: it was the church of the minority of the people. At the same time, he believed that a more exemplary, a more pious, or a more learned body of men, than the members of that church did not exist. The members of that church certainly enjoyed and deserved the affections of those whom they were sent to instruct, in the same degree as their brethren in England enjoyed the affec-

tions of the people of this country; and he had no doubt that they would shed the last drop of their blood in defence of the doctrines and disciplines of their church. But violence, he apprehended, was likely to affect the interests of that church; and he would put it to the House, whether that church could be better protected from violence by a Government united in itself, united with Parliament, and united in sentiment with the great body of the people, or by a Government disunited in opinion, disunited from Parliament, and by the two Houses of Parliament disunited. He was certain that no man could look to the situation of Ireland, without seeing that the interest of the church, as well as the interest of every class of persons under Government, was involved in such a settlement of this question as would bring with it strength to the Government, and strength to every department of the state.

Having now gone through the general principles which had induced him to consider it desirable to bring forward this measure, he would trouble their lordships for a short time longer, whilst he explained generally the provisions of the bill before the House. The bill was in itself very simple. It conceded to Roman Catholics the power of holding every office in the state, excepting a few connected with the administration of the affairs of the church; and it also conceded to them the power of becoming members of Parliament. He believed it went further, with respect to the concession of offices, than any former measure which had been introduced into the other House of Parliament. He confessed that the reasons which had induced him to consider it his duty to make such large concessions now, arose out of the effects which he had seen following the acts passed in the year 1782 and 1793. He had seen that any restriction upon concession had only had the effect of increasing the demands of the Roman Catholics, and at the same time giving them fresh power to enforce those demands. He had therefore considered it his duty, in making this act of concession, to make it as large as any reasonable man could expect it to be, seeing clearly that any thing which should remain behind would only give ground for fresh

demands, and being convinced that the settlement of this question tended to the security of the State and to the peace and prosperity of the country.

He had already stated to their lordships his opinion respecting the expediency of granting seats in Parliament to Roman Catholics, and he did not conceive that the concession of seats in Parliament could in any manner affect any question relative to the church of England. In the first place, he begged their lordships to recollect that at the time those acts, to which he had before alluded,—the one passed in the 30th of Chs. II., and the other at the period of the revolution,—were enacted, it was not the church that was in danger, it was the state. It was the state that was in danger, and from what? It was not because the safety of the church was threatened. No! but it was because the sovereign on the throne was suspected of Popery, and because the successor to the throne was actually a Papist. Those laws were adopted, because of the existence of a danger which threatened the state, and not of one which threatened the church. On the contrary, at that period, danger to the church was apprehended, not from the Roman Catholics, but from Dissenters from the Church of England. He would ask of their lordships, all of whom had read the history of those times, whether any danger to the church was apprehended from the Roman Catholics? No! Danger to the church was apprehended from the Dissenters, who had become powerful by the privileges granted to them under the act of Parliament passed at the period of the revolution. He thought, therefore, that it was not necessary for him to enter into any justification of himself for having adopted this measure, on account of any danger which might be apprehended from it to the church. Roman Catholics would come into Parliament by this bill, as they went into Parliament previous to the act of the 30th of Charles II. They sat in Parliament up to that period, and were not obliged to take the oath of supremacy. By this bill they would be required to take the oath of allegiance, in which a great part of the oath of supremacy was included,—namely, that part which referred to the jurisdiction

of foreign potentates; and he must say, that if the church was in danger, it was better secured by this bill than by the 30th of Charles II., which had continued in force up to the present moment; though the object for which that act was recognised at the period of the revolution—namely, to keep out the house of Stuart from the Throne—had long since ceased to exist, by the extinction of that family.

It was the opinion of nearly every considerable man in the country, that the time was now arrived for repealing those laws. Circumstances had been gradually moving to their repeal since the extinction of the house of Stuart, and at last the period was come, when it was quite clear that repeal could be no longer delayed. But he knew that there were many in their lordship's house, and many in this country, who thought —and he admitted that he had formerly been of the same opinion himself—that the state ought to have some security for the church against the proceedings of the Roman Catholic clergy, besides the oaths imposed by the act of Parliament he had already alluded to. But he confessed that on examining into the question, and upon looking more minutely than he had before an opportunity of doing, at the various acts of Parliament by which the Church of England was constituted, and which formed the foundation on which it rested, he could think of no sort of arrangement capable of being called into execution in this country which could add to the security of the established church.

He begged their lordships to attend for a moment, whilst he explained the situation of the kingdom of Prussia with respect to the Roman Catholic religion. The King of Prussia exercised the power which he did over the Roman Catholic church, in his various dominions, under different concordats made with the Pope: in Silesia, under a concordat made with the Sovereigns of the House of Austria and the Pope; in the territory on the left bank of the Rhine, under a corcordat made with Bounaparte and the Pope; and in the territories on the right bank of the Rhine, under a concordat made with the former

sovereigns of those countries and the Pope. Each of those concordats supposed that the Pope possessed some power in the country, which he was enabled to concede to the sovereign with whom the concordat was made. That was a point which we could never yield to any sovereign whatever. There was no sovereign, be he who he might, who had any power in this country to yield up to His Majesty. We must keep our sovereign clear from such transactions. We could have no security of that description,—not even a veto, on the appointment of a Roman Catholic bishop,—without detracting, in some degree, from the authority and dignity of the sovereign, and without admitting that the Pope had something to concede to His Majesty.

Now let their lordships suppose another security. Suppose it were arranged that His Majesty should have the nomination of the Catholic Bishops. If he nominated them, he must also give them a jurisdiction,—he must give them a diocese. He should like to know in what part of Ireland or England the King could fix upon a spot where he could, consistently with the oath he had taken, nominate a Catholic bishop or give a diocese? The King was sworn to maintain the rights and privileges of the bishops, and of the clergy of this realm, and of the churches committed to their charge. Now, consistently with that oath, how could the King appoint a bishop of the Roman Catholic religion; and would not the established church lose more than it gained by the assumption of such a power on the part of His Majesty? Then, there was another security, which some noble lords thought it desirable to have,—namely, the obtaining by Government of copies of all correspondence between the Catholic clergy and the Court of Rome; and the supervising of that correspondence, in order to prevent any danger resulting to the established church. Upon that point he must say that he felt the greatest objection to involve the Government of this country in such matters. That correspondence, their lordships were told, turned on spiritual affairs. But he would suppose that it turned on

questions of excommunication. Was it, then, to be suffered, that the Pope and His Majesty or his Majesty's Secretary of State acting for Him, should make law for this country? for that would be the result of communications between the Catholic clergy of this realm and the Pope being submitted to His Majesty's inspection, or to the inspection of His Majesty's Secretary of State. Such a security amounted to a breach of the constitution, and it was quite impossible that it could be made available. It would do more injury to the constitution and to the church than any thing which could be done by the Roman Catholics themselves, being placed by this Bill in the same situation as Dissenters.

With respect to communications with the Court of Rome, that has already been provided against and prevented by laws still in existence. Their lordships were aware that those laws, like many others regarding the Roman Catholic religion, were not strictly enforced; but if they should be abused,—if the conduct of those persons whose actions those laws were intended to regulate, should be such as to render necessary the interference of Government, the very measure which was now before their lordships would enable Government to interfere in such a manner as not only to answer the object of its interference, but also to give satisfaction to their lordships and to the country.

Another part of the bill had for its object the putting an end to the order of the Jesuits and other monastic orders in this country. If their lordships would look at the act passed in the year 1791, they would probably see that at that time it was possible to make laws through which a coach-and-four might be driven. His noble and learned friend (Eldon) would excuse him, he hoped, for saying, that notwithstanding all the pains which he had taken to draw up the act of 1791, yet the fact was,—of which there could not be the smallest doubt,—that large monastic establishments had been regularly formed, not only in Ireland, but also in this country. The measure which he now proposed for their lordships' adoption would prevent the increase of such establishments, and, without

oppression to any individuals, without injury to any body of men, would gradually put an end to those which had already been formed. There was no man more convinced than he was of the absolute necessity of carrying into execution that part of the present measure which had for its object the extinction of monastic orders in this country. He entertained no doubt whatever, that if that part of the measure were not carried into execution, their lordships would very soon see this country and Ireland inundated by Jesuits and regular monastic clergy sent out from other parts of Europe with means to establish themselves within His Majesty's kingdom.

When he recommended this measure to their lordships' attention, they had undoubtedly a right to ask what were the reasons he had for believing that it would answer its object, not only from the example of all Europe, but from the example of what occurred in a part of this kingdom on a former occasion. If he was not mistaken, at the time of dispute between the Episcopalians and the kirk of Scotland, the state of society in Scotland was as bad then as the state of Society in Ireland was at the present moment. Their lordships knew, that abroad, in consequence of the diffusion of civil privileges to all classes, the difference between Protestant and Catholic was never heard. He was certain that he could prove to their lordships when he stated, when he said, that the state of society in Scotland, previous to the concession of civil privileges to the Episcopalians, was as bad as the present state of society in Ireland.

He hoped their lordships would give him leave to read a petition which had been sent to him that day, and which had been presented to Parliament at the period when those concessions were about to be made, and their lordships would perceive that the petition was almost a model of many petitions which had been read in their lordships house respecting the question under discussion. He was therefore in expectation, that should the present bill pass their lordships' house, there would be no longer occasion for those complaints which had been expressed to their lordships, and that the same happy

and peaceful state of things which had for the last century prevailed in Scotland would also prevail in Ireland. He would, with their lordships' permission, read the petition he had alluded to, and he thought that after they had heard it, they would be of the same opinion as himself with respect to the similarity it bore to many petitions which had been presented to their lordships on the Catholic question. The petition stated, that "to grant toleration to that party (the Episcopalians), in the present circumstances of the church, must unavoidably shake the foundation of our present happy constitution; overthrow those laws on which it is settled; grievously disturb that peace and tranquility which the nation has enjoyed since the late revolution; disquiet the minds of his Majesty's best subjects; increase animosity, confirm discord and tumult; weaken and enervate the discipline of the church; open a door to unheard vices, and to Popery as well as to other errors; propagate and cherish disaffection to the Government, and bring the nation under the danger of falling back into those errors from which it had recovered itself. The petition in conclusion stated, "that to grant toleration to the Episcopalians would be to establish iniquity by law, and they therefore prayed the members of the High Court of Parliament to uphold, and preserve the laws." He (the Duke of Wellington) sincerely hoped that as the prophecy contained in the petition he had just read had not been fulfilled, that a similar prophecy respecting the passing of the present bill, contained in many petitions presented to their lordships, would not be fulfilled. But he had other grounds besides those which he had stated for supposing that the proposed measure would answer the object in view.

There was no doubt that after this measure should be adopted, the Roman Catholics could have no separate estate; for he was sure that neither their lordships nor the other house of Parliament would be disposed to look upon the Roman Catholics, nor upon any thing that respected Ireland, with any other eye than that which they beheld whatever affected the interest of Scotland or of this country. For his own part, he would state that if he was disappointed in the hopes which he

entertained that tranquillity would result from this measure, he should have no scruple in coming down and laying before Parliament the state of the case, and calling upon Parliament to enable Government to meet whatever danger might arise. He should act with the same confidence that Parliament would support him then, as he had acted in the present case. Having now explained to their lordships the grounds on which this measure was brought forward; the state of Ireland; the inconvenience attending the continued agitation of the question; the difficulty, nay, the impossibility of finding any other remedy for the state of things in Ireland; the state of public opinion on the question; the divisions of the Government and of the Parliament thereon; the pretences, for so he must call them, which had been urged against the claims of the Catholics, founded on acts passed previous to the revolution; having stated likewise the provisions of the measure which he proposed as a remedy for all those inconveniences, he would trouble their lordships no further, except by beseeching them to consider the subject with that coolness, moderation, and temper, recommended in the speech from the Throne.

The debate which followed, continued during the three days, the 2d, 3d, and 4th of April. The Spiritual Lords who spoke, in addition to the mover of the Amendment, were the Archbishops of York and Armagh, the Bishops of London, Salisbury, Durham, and Oxford. They all opposed the Bill, with the exception of the last, who contended that concession was called for, not merely by the situation of Ireland, by the consideration of the immense military force found necessary for the maintenance of the public peace (which, after all, was not maintained), and by the consideration of the division of opinion in both houses of Parliament; but still more by the turn which talent and education had taken in this kingdom, with reference to the question; upon that fact the Right Rev. Bishop said he would stand. The Peers who opposed concession, were men advanced in years; but the individuals who were rising in the natural progress of things, to fill the high offices of the state, were, with scarcely an exception, in favour of this measure.

On the 7th and 8th of April, the Bill passed through a Committee, in which, as in the Commons, many amendments were moved, but not one carried. On the 10th of April it was read a third time, after another debate, which produced nothing new, and which terminated in the Bill being passed, by a majority of 104; 213 Peers having voted for it, and 109 against it. On the 13th of April it received the royal assent.

Ministers, of course, had assured themselves of that assent, and it was their duty to do so before bringing forward the measure; the difficulty of obtaining it, and the late period at which it was obtained, was always put forward by the Duke of Wellington, as the cause of this delay on the part of the Government in announcing their intentions, which look so like an arrangement to take the Protestant community by surprise. Besides the objections which his Majesty was understood to have always entertained to the measure or principle, it appeared from the communication between the Ministers and the Lord-Lieutenant, subsequently made public, when the recall of the latter was mentioned in the house of Peers, that the King had felt strongly the indignities cast upon his government, by the proceedings of the agitators, and by the connivance which allowed them to be continued with impunity. On the 11th of November, 1828, the Duke of Wellington, in a letter to the Lord-Lieutenant, after referring to those measures of the Viceroy, which were considered to betray a friendly and encouraging inclination towards the Association, said, "I cannot express to you adequately the extent of the difficulties, which these and other occurrences in Ireland create, in all discussions with his Majesty. He feels that in Ireland the public peace is violated every day with impunity, by those whose duty it is to preserve it, and that a formidable conspiracy existed, and that the supposed principal conspirators—those whose language and conduct point them out as the avowed principal agitators of the country—are admitted to the presence of his Majesty's representative in Ireland; and equally well received with the King's most loyal subjects." His Grace added in a subsequent communication of the 19th

of November, "I might have, at an earlier period, expressed the pain I felt, at the attendance of gentlemen of your household, and even of your family, at the Roman Catholic Association. I could not but feel, that such attendance must expose your government to mis-construction. But I was silent, because it is painful to notice such things; but I have always felt that if these impressions on the King's mind should remain, and I must say that recent transactions have given fresh cause for them. I could not avoid to mention them to you in private communication, and to let you know the embarrassment which they occasion." In a still earlier communication, dated 28th September, the Duke of Wellington told the Lord Lieutenant, that the Catholic question, was "a subject of which the King never hears, or speaks of, without being disturbed." Of the reluctance with which his Majesty therefore was brought at length to consent to the introduction of the Bill no doubt could be entertained. The Duke of Wellington admitted, that his efforts to obtain that consent, had been continued during the summer and autumn; and it was pleaded as the excuse for the short notice, on which the measure was proposed, that the consent had been wrung from the King only a few days before, Parliament met in February. His Majesty's resistance therefore had been long and firm, it was not wonderful that he should at last have yielded to the representations, daily urged by those in whom he most confided, that a continued refusal could have no other effect, than to keep one part of his empire in misery, and expose the whole to rebellion, it might be to dismemberment. No room was left for counteracting the views thus assiduously pressed upon the royal mind; for the knowledge of what was going on, was carefully confined to the operators themselves; nor was it ever made known to those who might have interfered till it was found that his majesty's consent had already been obtained, and that interference came too late. That consent ennabled ministers to bring forward their plan fortified by the approbation of the Crown; that approbation, and their own influence ennabled them to command the majorities by which

they carried through a measure acknowledged by themselves to be a sacrifice to what they thought expedient, of what they ever held to be right and constitutional, and which they admitted to be heartily disliked by the country, that they claimed the merit for having given up to what they termed a sense of duty, not only all political commotions, but even the approbation and esteem of the public. Thus had Mr. O'Connell and his Association, as representing the united voice of Catholic Ireland, and of the Liberal Protestants of Ireland, changed, in one year, a majority of 44 against them to one of 105 in their favour. Fear was found to argue more powerfully in Downing Street than conscience. The friends of the cause could not pass a Relief Bill when the Catholics petitioned; but their enemies did it with alacrity, when they shewed their power. A politic effort was made to restrict the liberality of the measure, by the disfranchisement of the forty-shilling freeholders. This act proved afterwards of some advantage, in what is called "the admission of a principle." Where the interest of the poor and powerless is at stake, such "principles" are generally overlooked, and it did not occur to those who took away these small "vested rights," that they would soon have to judge on similar "rights" vested in more important persons.

CHAPTER IX

The re-election of Mr. O'Connell for the County of Clare, was now determined, and so soon as he took the field, what was termed an "Aggregate Meeting" of the Catholics took place to consider what steps should be adopted to forward his re-election. This was nothing else than a meeting of the Catholic Association. It was held in the old Association rooms, it was held for old Association purposes. A large sum of the Catholic rent still remained on hand; this meeting was held, and was followed by others, to consider how that fund should be disposed of—and only the Catholic Association could dispose of that fund. The very first thing done by the meeting, was to vote £5000 of the rent, as an aid to Mr. O'Connell in standing for the county of Clare. This was the very thing which they had done in 1828. The one was as much an act of the Catholic Association as the other had been—and was in the very face of that law suppressing it, with which the Relief Bill had been so pompously introduced. The vote was strongly opposed by some Members on the ground, that such a mode of appropriating the money, was not among the objects for which it had been contributed, and Mr. Eneas Macdonnell gave the Treasurers warning, that if they applied any part of these monies towards such a purpose, it would be at their own peril. Mr. Macdonnell probably acted from resentment, but the very cause of his resentment was, the actings of this, revived Catholic Association. He had put in a claim to be remunerated from the fund for what he had done, and suffered in the Catholic cause. That claim was rejected, but it was rejected only after a debate of three days, regularly adjourned from day to day, and these meetings took place under the very eye of the Government without interruption.

The election did not excite much interest, for Mr. O'Connell was not opposed. It was preceded and accompanied, however by the usual number of "triumphant entries," as they were called, that is assemblages of large crowds of people to whom were addressed the usual number of bad speeches, in which inflammatory abuse was mixed up with low buffooning and sheer blackguardism, and we are sorry to add, in one or two instances on the part of Mr. O'Connell, with expressions strongly verging on blasphemy itself. In one of his orations, delivered on his entry into Ennis, he said. "The forty-shilling elective franchise, has been taken from you, and the £10 substituted for it, You will give me an opportunity of having that franchise, that right restored. I promised you religious freedom, and I kept my word. The Catholics are now free, and the Brunswickers are no longer their masters, and a paltry set they were to be our masters. They could turn up the white of their eyes to Heaven, but at the same time they put their hands very slily into your pockets. *They would discount God Almighty for ready money.* The Brunswick Clubs of Dublin, have sent down one, a miniature in flesh, poor Bumbo and his land-calf-brother, to disfranchise the brave freeholders, and crooked eyed Fitzgerald swore to it, but I call on the gentry of Clare to separate themselves from the disgraceful Dublin Blood-hounds, and join what is intended for the good of the people. The question is no longer a question between Protestant and Catholic; that is at an end, it is now, who is a good or a bad man. If you thus decide, which will you choose, Bumbo or me? I hope you will rub off the foul stain of my connection with these Blood-hounds, and ratify the former election. What good did any Member ever before in Parliament do for the county of Clare, except to get places for their nephews and cousins &c.? What did I do? I procured for you emancipation. Does the subletting Act oppress? I shall not be six months in Parliament, until all your oppression shall be done away with."

This was language fitted to excite, but not to mitigate

angry passions, used too, not in the heat of a contested election but when he was allowed to walk the course undisturbed. He did not conceal his ulterior views. Whenever he could find an opportunity, he made a speech, he announced his great object now to be *a repeal of the union with England*, and the means by which he was to seek it, that same organization of the people to which his Majesty's Government had lately told the empire, it was impossible for them to say no. "We shall have now," said he "at Youghall, a brighter era opened to us, and I trust that all classes of my countrymen will join together, and by forming one general firm phalanx achieve, what is still wanting, to make Ireland what it ought to be. Ireland had her 1782; she shall have another 1782. Let no man tell me it is useless to look for a repeal of that odious union, that blot upon our national character. I revere the union between England and Scotland, but the union which converted Ireland into a province, which deprived Ireland of her Parliament, it is for the repeal of that measure we must now use all the constitutional means in our power. That union which engenders absenteeism, and the thousand other evils which naturally flow in its train. We are bound to England by the golden link of the crown, and far be it from me, to weaken that connection by my present observations. I want no disseveration, but I want and *must have* a repeal of that cursed measure which deprived Ireland of her senate, and, thereby made her a dependent upon British Aristocracy, and British intrigue and British interest. I may perhaps be told that to attempt a repeal of the Union would be chimerical. I pity the man who requires an argument in support of the position that Ireland wants her Parliament; and that individual who pronounces the attainment of such consummation to be Utopian, is reminded of the Catholic Question. Look at the Catholic cause; do I not remember when it was difficult to procure a meeting of five Catholics, to look for a restoration of our then withheld rights; I recollect when we agitators, were almost as much execrated by our fellow-slaves as we were by our oppressors. For the attainment of the repeal of the

Union, I shall have the co-operation of all the classes and grades in society; the Orangeman of the north, the Methodist of the south, and the quiet unpresuming Quaker, who may think his gain shall be thereby augmented—all shall be joined in one common cause—the restoration of Ireland's Parliament." "I am now on my way to Dublin; nor shall I be there a fortnight, when a Society having for its title seventeen hundred and eighty-two," shall be formed. I dare say I shall have but a few persons enrolled in it at the first; but like the mighty oak, which spreads and overshadows the desert, resisting for centuries the most furious blasts of the elements, so shall seventeen hundred and eighty-two" extend its influence throughout Ireland, nor cease till her Parliament be restored, her sons be one creed, all joined in the common cause of seeing old Ireland great and glorious amongst the nations of Europe." In another and earlier oration delivered at Carrick-on-Suire, he had said—"what was to be done for Ireland. The contentions of religion were over—freedom was obtained—they never were base enough to be contented with less—the people shall no longer be misrepresented—what was done in one county, another county can accomplish! Waterford owed it to Clare to imitate it—nor should the scions of *Knockloftiness*, and the paltry *Prittriness* of another county (Messrs. Hutchinson and Prittie, Members for Tipperary) be suffered to prevent the just representation of its feelings—No, the men of that county were too brave to be intimidated. However pure the intentions of the Duke of Wellington might be, the designs of his Ministry betrayed no symptom of improving the internal condition of Ireland; whom had they for instance, selected for the administration of justice? Serjeant Lefroy, reeking with expressions, with which he would not pollute his lips (for they savoured too closely of high treason,) was sent to decide whether Catholics are always in the wrong, and Protestants always in the right. The government of Ireland had made another change—Saurin. They had heard of Con of the hundred battles, but there was Saurin of the hundred prosecutions, Saurin the greatest enemy of the liberty of the press, and the

virulent enemy to toleration—his ancestors were refugees from persecution, they had suffered persecution, but they had not learned mercy. A son of Mr. Saurin had been appointed to a high situation—there was another change. In Ireland, Catholics had learned a double distrust—a distrust of closed investigation or open trial. They had seen on the jury, Orangemen arrayed against them in judgement; and like the wretch who is drawn to the gambling table, where loaded dice await to decide his doom, he had seen the Catholic stand before them in the auspicious hope of obtaining justice. More than once he had stood forth to defend the victim, and more than once he had beheld him trampled on, and stained with Orange pollution. What man would not view with suspicion, the administration of justice, who had witnessed the late trials in their county.

We are the more particular in detailing these expressions, both because they form an admirable commentary on the assurances of grateful affection and profound tranquillity, with which the emancipationists had assured Parliament, the boon would be received, and because it would be an anomaly to have found harmony or good-will returning to a country of whose popular leader these were the doctrines and feelings—doctrines and feelings drunk in with greedy ears, and noisy applause by the listening crowds. They were expressly told that what had been gained so far from being any cause of peace and repose, was only to be a new source of universal excitement, and more ardent activity; they were told that many great changes were still to be effected, among others, nothing less than a legislative separation from Great Britian, their connection with which, pictured to them as "a cursed union," the source of degradation and impoverishment they were taught, that while so much remained to be effected, it was gained by strenuously following out the same measures which had gained emancipation that is, by assuming an attitude of organized defiance, which, by its threatening complexion, would compel concession. The administration of justice was held out to them as an object of distrust and detestation; their opponents

were still denounced as blood-thirsty oppressors. "The Tipperary men" were told they were "too brave to be intimidated" --and could the Tipperary men, or any other Irishmen under the influence of such exciting representations, do anything else than have their applauded bravery at hand, ready for use?

It is not wonderful, then, that Ireland very soon presented scenes of as much violence, as those from which the Emancipation Bill was for ever to relieve her. The hostile feeling of parties continued and manifested themselves in the same way. To the great body of the Catholics, emancipation had brought no change, except the destruction of their freeholds —a source of discontent, rather than of satisfaction. The Protestants felt that they had been deceived, and knew that they were in danger; it could not be expected then, they would remain unmoved, when their adversaries were openly threatening a renewal of their organized activity; they, too, had recourse to organization; and the heads of Orange lodges were officially inculcating firmness and union. The slightest accident, the most casual collision, produced contention, and ended almost uniformly in bloodshed.

At the opening of the session of Parliament of 1830, Mr. O'Connell took his seat; an act having been previously passed for rendering the Oath to be taken by the Catholic Members, agreeable to the tenets of their religious creed. The opinions which were formed relative to the line of conduct which Mr. O'Connell would pursue were various and conflicting, and whilst by some it was supposed that the measures proposed by him would be of a conciliatory and healing nature; others affirmed that they would be distinguished by the same spirit of agitation, by which all his political actions had hitherto been distinguished. The emancipation of the Catholics from their political disabilities, had been for some time held up by Mr. O'Connell, as the panacea for all the troubles and misery real, or imaginary, under which Ireland had been groaning according to Mr. O'Connell's affirmation from time immemorial. In the plenitude of his patriotic spirit, and in the fulness of his egotism, he represented himself to the people of Ireland as their deliverer and saviour, by him, and

him alone had the great boon of Catholic Emancipation been obtained for them, and therefore, had he well and nobly earned the 18 or £20,000, which the population of Ireland, under a certain degree of coercion annually paid him, under the significant term of the Catholic Rent. This Rent was, however, originally established as a bonus to Mr. O'Connell, for resigning his profession as a barrister, and dedicating the whole of his gigantic powers exclusively to the service of his oppressed countrymen. By the exercise of those powers, all the evils of Ireland were to be redressed, but according to Mr. O'Connell, Ireland was at this time a kind of pandora's box, for one evil was no sooner remedied, than another presented itself, or in other words, there was also something to be found on which the powers of Mr. O'Connell were to be exercised, for the purpose of enabling the good Irish people to testify their approbation and gratitude, by the supposed voluntary payment of the Rent. Nor was it exactly consistent with the design of Mr. O'Connell, that the payment of the Rent should cease, and such being the case, we find that although in every one of the numerous speeches which he uttered in every part of Ireland, he had distinctly stated, that the emancipation of his countrymen from their political disabilities was to be the foundation of the prosperity and happiness of Ireland, yet he had not been long in Parliament, before he openly avowed that the tranquillity of Ireland could not be confirmed, unless the union between the two countries was repealed. He had obtained all he had asked for, and all that the Irish people had paid him to obtain from the English Government, but now he sought for a disseveration of the two countries, as the only means of establishing tranquillity. The Rent had been paid to obtain Catholic Emancipation, and now he convinced his countrymen, that it was necessary to continue it to obtain a repeal of the Union, which like oil thrown upon the waves, was to confer peace and prosperity to his *distracted* country. The Rent was continued, and Mr. O'Connell promised his countrymen in return, he would obtain the repeal. The note of preparation was now heard, Mr. O'Connell gave notice in Parliament, that he

would move for the repeal of the Union, and although he must have been convinced in his own mind, that it was one of the most quixotic schemes in which he was ever engaged, and that he had not the slightest prospect of success, yet he followed up the motion, and the following is a correct history of the whole of this memorable proceeding

The mournful tones of the death-bell—the mercenary indications of parochial regret—were sounding at intervals from the steeple of St. Margaret's church, as we passed by on our way to the House of Commons on the evening of the 22d of April, the time appointed by Mr. O'Connell for his proposition of a repeal of the Legislative Union; and we felt a kind of cheering presentiment conveyed to us with each clang of the death-knell, so totally disassociated with the idea of mortality which they were intended to convey, that we involuntarily exclaimed as we entered the precincts of imperial legislation—"that is the knell of the ill-starred Union! from this night its decline will commence, and its dissolution will be as certain as that of the nameless being, whose decease is now sought to be communicated by these dismal sounds."

Upon the eve of great events, trivial incidents often serve to encourage or depress those whose feelings are interested in the approaching result; and there is scarcely a circumstance, however trivial, that will not influence a mind excited by such a contemplation. The first discussion of the question which involved the fate of the Irish nation, was in itself an event sufficiently important to raise in the minds of every person belonging to Ireland emotions of the strongest nature. They were not, however, like those which are experienced upon the eve of an expected crisis, for every one felt that the fate of the Anti-Union cause was not at stake in the impending discussion, nor was it to be retarded by the defeat that the numbers on a division would array against it. It was the manner in which it would be discussed, not the circumstances under which it would be denied, that was to be regarded—the overwhelming nature of the host prepared to resist it, left no hope

of encouragement from the latter, but the anticipations connected with the effect of the former were cheering—and accordingly the friends and advocates of Repeal waited the coming struggle with that calm confidence which they who have truth and justice on their side always feel when those pure and eternal principles are about to be investigated. As the hour approached for commencing the evening sitting of the House of Commons, the lobby became a scene of unusual bustle. The entire representation of the United Kingdom was summoned for the occasion, and the members crowded into the house at an early hour for the purpose of securing seats for the night. A call of the House upon the occasion of resistance to a motion of one of the opposition members was a circumstance sufficiently unusual to indicate that the ministers regarded the question with no inconsiderable degree of apprehension, and proved that they relied more upon the strength of the numerical force which they would parade against it, than the success of the arguments and eloquence with which the principle of anti-unionism would be resisted. The call of the House was therefore an indication that Mr. O'Connell's motion was regarded as one of those great occasions upon which the ordinary attendance of members was not competent to decide, and accordingly the summoned senate met *en masse* to hear and dispose of the daring proposition.

Public rumour had for some time bruited it about that Mr. O'Connell's proposition was to be resisted in the breach by Mr. Spring Rice, at the head of a strong column of financial forces, and that the ambitious invader of imperial power was to be overthrown by a few discharges of vulgar arithmetic; nay, it was also stated, that for several months entire branches of the financial department were busily engaged in preparing the *materiel* for the magnanimous Under Secretary, and that all he would have to do to put an end to the contest was to meet the assault by a judicious disposition of the principles of Cocker, and a copious use of arithmetical instead of oratorical figures. He, therefore, as he tripped in and out of the house,

became an object of regard, as one to whom the important duty of resistance was entrusted; and, if we were to judge by his demeanour, he seemed fully impressed with the consequence which he seemed to derive from the occasion.

O'Connell for a few minutes appeared upon the lobby. He had been in the house all the time during which an election ballot was proceeding. He now came to the door, as if he sought for some person in the crowd. A few persons immediately surrounded him as he came out, but, with his usual avoidance of common-place colloquy, he soon broke from them and re-entered the house.

The election ballot being terminated, the strangers were admitted, and we soon found ourselves upon a bench, under the gallery, which gave us a full view of the entire assembly. By a preliminary arrangement the members who had repeal petitions were allowed to present them before the order of the day would be called on, and accordingly a great number from various parts of Ireland were rapidly given in without any other preliminary than the reading of their titles. Mr. Emerson Tennant was the only person who brought up a petition from the anti-repealers, but when he announced the nature of the document to the House, a simultaneous cheer seemed to break forth from both sides, as if the solitary instance of Belfast was a triumphant counterpoise for the heap of petitions of an opposite nature which, at the time, seemed to cover the table. At length, the monotonous formalities of presentation having terminated, the Speaker, with his fine sonorous voice, called out, Mr. O'Connell. The mention of the name seemed like "the chain of silence" to produce an instantaneous attention; and the mover, rising from his seat, approached to the table where he had previously placed some small portfolios containing the extracts and documents with which he intended to support his statement.

We had seen him in almost all the various situations which his extraordinary political career afforded. We had seen him oftentimes haranguing conventions, where the green valley was the arena and the vault of Heaven the only limit to the scene.

We had seen him in all the variety of positions which the arbitrary laws, passed on purpose to counteract him, compelled him to adopt, and yet we felt that the occasion which now found him about to address the Imperial Senate afforded the greatest epoch of his life, and whether the cause of which he is the great defender failed or prospered, that the twenty-second of April, formed an era which cast upon his past existence a brilliancy, emanating from the grand and magnificent project which he now stood up in the British Senate to propose. In that brief interval, which elapsed between the moment when the Speaker pronounced his name and the sound of the first words with which he began his address, an indescribable sensation seemed to pervade the entire assembly. The effect was not produced by any forethought of his capability as a speaker, for the members were familiarised with the style and manners of the orator who now stood before them. Neither was it the effect of that expectation which strangers feel prior to the opening words of some speaker, whose fame has raised their anticipations of his oratorical power. No!—the associations connected with the *man*, great and peculiar as is their nature, still they were secondary at that moment. It was the cause—his cause, and the consequences of its triumph with a misgiving in their own power to prevent it, that awed the boldest of its pre-determined antagonists, and produced the almost breathless stillness which at that time pervaded the assembled Senate. To the surprise of many persons present, Mr. O'Connell commenced by relating an anecdote of an honourable member who, in conversation with himself a few days before, had said that the Canadas are endeavouring to escape us—America has escaped us, but Ireland *shall not* escape us. This exordium, although it produced a momentary disturbance, seemed however to enforce a more reluctant but still greater attention to his speech than if he had opened in the ordinary manner, for it compelled the members not to involve themselves with the sentiment of the pre-determined gentleman, by betraying an unwillingness not to listen to the case which he was going to detail. He reproved the first slight interrup-

tions by a timely intimation that it was too soon to begin them, which, being accompanied with the sanction of the injunctional "order, order," from the Speaker, the assembly, with exemplary patience, seemed to resign itself to the infliction, and yielding its unwilling attention to the narration of English domination and Irish endurance.

The consciousness of having for an auditory a class of persons whose interests and feelings are different, if not even opposed to those which are cherished by the speaker, is perhaps the greatest disadvantage that is to be encountered in public life. A promiscuous assembly will bear down the efforts of the person that endeavours to inculcate principles which are not held in general repute; but, whatever allowances may be made for the madness of an association composed of heterogeneous elements, no excuse should be allowed in extenuation of such conduct in a delegated and deliberative assembly. The consciousness even of this disposition, without its overt action, is in itself sufficiently embarrassing, for the speaker does not know at what part of his address the latent hostility of his hearers will rise against and compel him to retire. The attention with which Mr. O'Connell was heard throughout his address that night was evidently the effect of a discipline which he has at last been able to enforce, chiefly by means of the constant reproof with which he meets those manifestations of his parliamentary unpopularity. The aversion borne towards him by the great mass of the members present, was chiefly indicated by their avoidance of any participation in those occasional cheers which arose from a few others, whenever any just or generous sentiment fell from his lips,—sentiments which deserved to be applauded, and to which perhaps, if they had heard them from any other quarter, they would have responded with sincere acclamations. O'Connell was encouraged by the cheers of the Irish voices alone, and, as far as any symptoms of the perception of his argument by any of the English members present was concerned, his orations might as well have been bestowed upon the inmates of a deaf and dumb asylum. One solitary occasion, however, be-

trayed them into something like a stir of vitality. It was at that part of his speech where he bore testimony that military violence was resorted to, in order to crush the efforts of the anti-Unionists, and described the meeting at the Royal Exchange, which was entered by a military party. The reference to the occasion was highly interesting. It afforded an irresistible proof of the consistency of the speaker upon the question he was advocating: and the occasion was also distinguished by another circumstance to which, perhaps, the life of any other public character does not supply a parallel. Amongst various documents, that relate to the period at which the Union was achieved, he read from Plowden's History an extract of a speech made by himself upon the foregoing occasion—his maiden essay upon Irish politics—from which it appeared that, on the first proposition of the Union, he gave it all the opposition that undistinguished youth could command, and now that after an interval of five and thirty years, he was still labouring, in the autumn of his existence, to reverse that national calamity which thus, in the opening of his remarkable and eventful life, he had vainly endeavoured to avert.

It was evident, both from the nature and arrangement of his speech, that, as he had declared in his exordium, he spoke not for the present hour, nor adapted his language to his present auditory, and he evidently treated those who were to oppose him with a corresponding disregard. Anticipating the species of evidence reserved by his opponents, he haughtily taunted Spring Rice with the pettifogging nature of the arithmetical logic upon which he relied, to refute the claims of a country containing eight millions of inhabitants, for the resumption of her legislative independence ; and, observing Mr. Stanley taking a note during the delivery of an important sentence, he suddenly paused and said, that, "perceiving the Right Honourable Secretary for the Colonies taking a note, he wished to afford him full time to complete it," and then proceeded. Upon another occasion, alluding to Spring Rice, he inadvertently designated him the Hon. Member for Limerick, but, immediately correcting the misnomer, he satirically re-

peated, with peculiar emphasis, "I beg *Limerick's* pardon, I should have said the Member for *Cambridge*."

The speech occupied five hours in delivery, and when, at length, the mover had closed his last impressive sentence and the clerk of the House read the resolution, we then expected to have seen the son of Henry Grattan advance to second its proposition, but we were somewhat surprised, however, to hear that Mr. Fergus O'Conner had already performed that office. The Speaker immediately pronounced the name of Spring Rice, while a few voices called "adjourn," which, conflicting propositions being reduced to a motion, the *ayes* were declared adverse to the endurence of the Under Secretary's eloquence for that night, and he was therefore obliged to reserve his thunder for the next.

A few minutes after five on the following evening we found Spring Rice upon his legs as we entered the House. He had just turned a few sentences upon the designs of the mischievous agitators, which were intended to ensure some encouraging cheers at the beginning of his course and gain him confidence and courage to sustain the very arduous service he had undertaken. With the exception of Stanley, perhaps, the Treasury bench does not contain one that would enjoy the ungracious task of vindicating British domination over Ireland more than the Anglo-Irish Under-Secretary. He brought to his aid the ultra virulence of an Irish auxiliary under English pay, and entered upon his duty with an effrontery that evidently arose from a consciousness of the mercenary nature of his advocacy against the cause of that country to which he nominally belonged. Aware, however, that he was open to a reproval for this desertion of all the obligations of nationality, he took an opportunity of renouncing every association of country, and having mentioned the name of Scotland, he artfully corrected himself and said *North Britain*, and then in a parenthesis he had the audacity to insinuate that he wished the name of Ireland should also undergo a similar mutation, and be distinguished in future geographical arrangements as *West* Britain only. This shameless admission was sanctioned by an ap-

plauding shout from the "Gentlemen of England," who, although they encouraged the traitor, to serve their own purposes, must have secretly despised the meanness that could thus unblushingly exult in his own degradation.

Spring Rice possesses many of the requisites necessary for a parliamentary speaker; a fluent and graceful delivery, a good voice, a facility of intonation, the command of copious and appropriate expression, with a judicious arrangement of language, enable him to sustain a much greater consequence on the Treasury Bench in the House of Commons than in the subordinate station he holds under his Whig patrons at the Treasury Board. He who is their best defender, who, in the attributes of oratory is at least their equal, takes his seat as their very humble servant and secretary at Whitehall. The controversy upon Repeal, which he had courted, was now commenced; the champions of either side were in the lists, and Irish scepticism in the indissolubility of the Union was to be reconciled by a course of reasoning, which, like the discussion of rival disputants in matters of religious faith, generally was likely to render that scepticism even more fastidiously attached to its own opinion than it was before the controversy commenced. Rival polemical disputants have mostly afforded unbelievers some advantages, derived from the different extremities to which they mutually drive each other; and the subject which was now to be investigated was likely to afford those who stood aloof from Unionism on one side, and simple Repeal on the other, abundant material to strengthen and confirm that speculation which they cherish, but have not yet ventured to extend by precept. Spring Rice rushed into the nature of the connexion between the two countries with a flippancy that deprived the important subject of much of its supposed importance, and discussed international interests in terms that considerably diminished preconceived notions of the reciprocal advantages that both England and Ireland enjoy from the compact of Union. I am to describe, however, the incidents of the debate, and the nature and tendency of the arguments used on both sides. Mr. O'Connell had occupied

five hours during the delivery of his luminous and powerful address; and Spring Rice, having the advantage of a day's preparation, made himself up for a reply that should be equal to the service for which it was intended, by being commensurate at least in length; and from the prolongation of his arguments to a six-hour speech, it seemed as if his reliance was placed more upon the length than the strength of his oratorical production.

On the conclusion of Lord Athorpe's speech, a number of voices called upon O'Connell. It was evident that the toleration of the House did not extend to the endurance of another speech. Mr. Lalor and Mr. E. Ruthven both had to give way to the inexorable rudeness that prevailed; and so impartial was the House in its determination to hear no more, that the efforts of the Unionists and Anti-Unionists were suppressed with equal promptitude. Mr. Shaw and Mr. William O'Reilly were denied a hearing, as well as the Members for the Queen's County and Kildare. Mr. O'Reilly was the last that essayed to speak; and after he had been permitted to deliver a few sentences, a voice called out, in the most impatient tone, "O'Connell—O'Connell!" The Member for Dundalk looked towards the quarter from whence the voice proceeded, and said, "I wish I could find out the gentleman who called 'O'Connell,' and I would keep him here all night, only that I would not like to trespass upon the other Members of the House." It was rather an extraordinary threat of punishment for one who had so offended, and implied an acknowledgment of a very unflattering nature. "I will punish the person who has interrupted me," said the Member for Dundalk, "by compelling him to listen to me!"

Mr. O'Dwyer, taking advantage of a pause in the storm, attacked Mr. Shaw, whom he denounced as an agitator of the sinister school, which, coming at the close, relieved the tedium, of the debate by the dash of invective which he infused into it. The patience of the collective wisdom, however, would endure no longer; a simultaneous summons was given. O'Connell

now approached to the table, and there was silence. He had not delivered more than one or two sentences, when we foresaw that his reply would be equal to any of his former displays of eloquence, he appeared to be now in the mood most favourable to the command of his peculiar powers. A degree of fierceness, tempered with levity, rendered him merciless in invective, and irresistible in ridicule to those who had provoked his retaliation by their personalities in the preceding debate. Animated almost to a degree of exultation, he seemed proud of the success that his motion had attained, and the great importance that even its antagonists had acknowledged to be attached to it. Confident that, notwithstanding the ablest leaders of the Whig and Tory parties had combined against his cause, that still their joint exertions had failed to discourage its friends, or to produce a crisis fatal to its advance, he commenced his reply under auspices so favorable, that it was impossible he could have been otherwise than what he was, throughout the entire of his address.

In replying to the personalities that had been used by many of the preceding speakers, it was expected that he would have severally taken up the individuals who had indulged in them, from the mover of the amendment down to the Member for Dundalk. This course, however, he judiciously avoided; but, in order that their conduct should not pass unnoticed, he selected from the band of his assailants one individual only, the most distinguished, because the most virulent of those who had followed his example during their participation in the debate. Before Mr. O'Connell had commenced to reply, we observed Mr. Emerson Tennant suddenly leave his seat behind the treasury benches, and rush through one of the side-doors that lead to the members' gallery: there, removed beyond the eye which he anticipated would soon be endeavouring to mark him amongst the crowd below, he seemed to await the moment when the vial which he himself had filled, would be poured upon his head. It came, and shortly; for it was the first topic that he touched upon after his exordium. "The first person

that assailed me," said the speaker, "was the Honourable Member for Belfast. I presume he is in his place."—"Hear!" said a voice from the gallery, and O'Connell continued:—"I am glad of it; and I now ask was there ever any thing more indiscreet in a government than to take such a person as a seconder of their motion? If I could have desired to have lessened the effect of what had fallen from me—if I had desired that my arguments should have as little weight as possible in Ireland—if I had desired that my opinions should be disregarded there, the course which I should have taken, would be to have as my seconder a factious and furious partisan, who would have pronounced an invective against the people, their religion, and their clergy, and taunted as 'adventurers,' men upon whom *he*, at least, ought to be sparing in casting such an imputation. The Government knew that there was a corporation inquiry, to forward which the greatest anxiety has been expressed by them. Now, what has been done by the Hon. Member for Belfast? Why, with an equal love of truth and chivalry, he denounced, long since, that very inquiry as an inquisition, and assailed one of the commissioners in a manner that did not terminate very creditably to himself. This is one portion of his political conduct; and now look to a preceding part of his career. When the Reform Bill was to be carried, the modern Conservative was an old Republican. 'A pampered prelacy,' and 'the folly of an hereditary aristocracy,' were then his favourite topics; and these, too, were expected to be abolished by him, as blessings which should follow from the Reform Bill. And this—*this* is the person the government has selected as the seconder of their motion, and whom, also, they have enthusiastically cheered, when he assailed me! I shall not, however, retaliate; but I can imagine a being who would assail me so—a being, at one time exulting in all the fury of republicanism, then a speculating adventurer, and dwindling at last into a mean and mercenary political dandy; I can conceive such a being servile and sycophantic in one situation—petulant and presumptuous in another—calumnious and contemptible in all."

O'Connell occupied about fifty minutes in his reply, which space, considering that he noticed almost every speaker of any importance that had opposed his motion, proves how successfully he must have condensed his arguments within that compass, and how little time he had for the exercise of any of those oratorical expedients by which public speakers are often enabled to produce a considerable effect. He succeeded, without the aid of any of these advantages, by the powerful energy of his own talents alone, and in despite of a predetermined and inexorable host by whom he was surrounded. If, as he said, his first speech was not intended for his audience, he made amends for the omission by adapting the second in a more decided manner to the minds of his brother members; and although it failed to array them upon his side at the division, the general acclamation that burst forth as he concluded, proved how far at least he had gained upon their admiration and respect.

On the House proceeding to a division, it was found that there were 523 to 38, against Mr. O'Connell's motion; thereby unequivocally establishing the sense which the British Legislature held of the policy of the Union, and at the same time demonstrating to Mr. O'Connell, that although he might, in his harangues to the Irish people, have promised them to obtain the repeal of the Union, as one of his great parliamentary achievements; yet that he was far, very far from the fulfilment of the promise. As an orator and skilful tactician, Mr. O'Connell lost nothing by his motion; but he acquired the unwelcome knowledge, that the British House of Commons, was not the arena, in which his popularity with his countrymen would be augmented, and that the repeal of the Union was not an event likely to be chronicled in the annals of Ireland, as one of his most successful labours.

FINIS.

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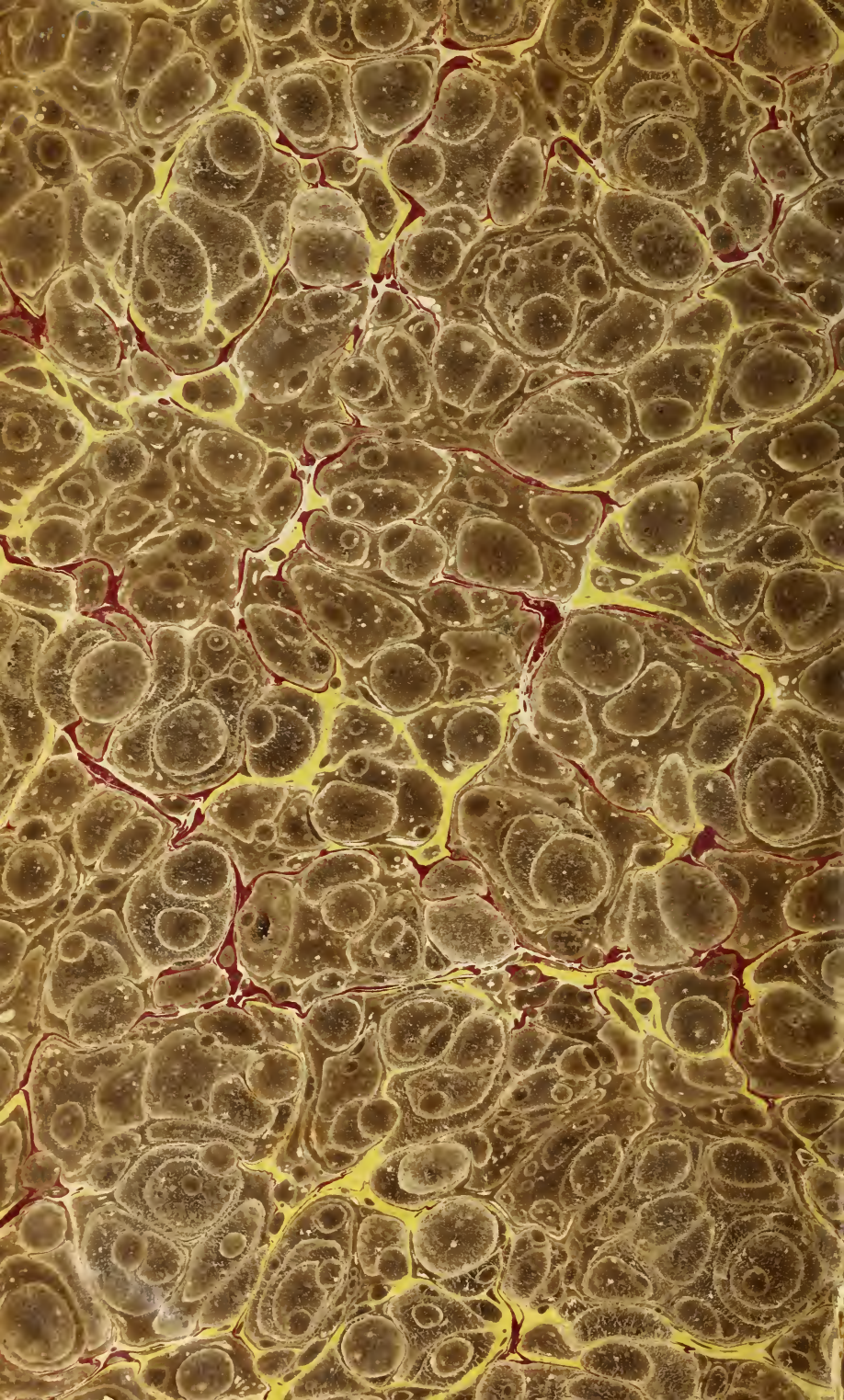

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